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Shri Brihad Bhartiya Samaj

on 31 October, 2019

B. Jones

ordered to put them in Irons; I did fo[illegible] and they continued in Irons the whole Time
[illegible] them over to Major Gilpin?

A. [illegible] allowed to see any Plays, and entertain them with Balls; were Dances exhibited
before them?

A. I do not recollect whether they ever defired to fee any Thing of the Kind; there never was
any Thing of the Kind; no Dancing.

Q. Were they, or were they not, in Irons, during the whole Time you had them in Charge?

A. For part of the time I believe I might be a Month or five Weeks, I cannot afcertain exactly,
I received the Orders for putting them in Irons.

Q. How long had you Charge of them in all?

A. I received them upon the 8th of February 1757 and had the Charge of them and the Kalla; And
Major Gilpin took the Command, in conſequence of being the ſenior Officer; I believe
it was in June following, or within a few Days of four Months.

Q. During the firſt Six Weeks they were not in Irons?

A. They were not, but it was over I cannot recollect; I believe the Reaſon of their being
put in Irons was, in conſequence of their not having made good a written Agreement
which they had given Back out of the 59 [illegible]; I believe it was in conſequence of that,
and [illegible].

Q. Was the Circumſtance of their being confined to the Limits of the Houſe
and Priſoning put upon them, during Part of the Time you had them in
Charge?

A. While I obſerved was 30 or 40 Yards ſquare, they had the Liberty of walking
[illegible] as I have already declared, that towards them, whilſt
[illegible]

Q. Who had the Charge, or Superintendance of the Khourd Mahl, during the Time you was
in Service?

A. [illegible]

Q. By whom employed by, do you know?

A. I was employed immediately under the Nabob; and the laſt Day I was here,
[illegible] Skeleton of Mr. Johnſon told me, I had nothing and could have nothing to
[illegible] particular Buſineſs of the Nabob that the Engliſh [illegible] acquainted with
[illegible] Situation or the Situation of the People who reſided within the Khourd
[illegible]

Q. Was Major Gilpin took the Command the People got upon the Tops of
[illegible] and made terrible Noiſes, ſuppoſing they were in great Diſtreſs for
[illegible] they had diſpoſed of the beſt Part of their Neceſſaries, and were then in a
[illegible]

Q. As to the Diſpoſition of the People who were in the Khourd Mahl,
[illegible] was underſtood their were the Nabobs Concubines, and that there were ſome of them
[illegible] Children; and that there were alſo with them [illegible] As to any Thing further it is entirely
[illegible] can poſſibly be nothing of that, for I never ſaw any of them.

Q. Was it underſtood that they were Perſons of Rank, or Perſons of low Condition?

A. [illegible] Gentleman directly Hearing that Sujah Dowlah, when he was going any
[illegible] any Perſon that he thought was [illegible] would wiſh for, his Servants were em-
[illegible] and the Perſon brought to this Place where they were put. As to Rank, whether high or
[illegible]

Q. Was there any Difference between the Rank and Deſcription in which the Perſons who inhabited
[illegible] Mahl, or Cloſe who inhabited the Khourd Mahl?

A. There were two Apartments; One is where the married Princeſſes reſide, and the other
[illegible] Concubines reſide.

Q. Were they in a different Eſtimation?

A. One [illegible] conſidered in a ſuperior Light, as a Part of the Family; and the other as an inferior
[illegible]

Q. By whom, or from what Fund, were the Perſons in this Khourd Mahl defrayed?

A. [illegible] and Cloaths, both from the Revenue and [illegible] Subſiſtance of the Khourd Mahl; [illegible] Kalla Khan, there was a Diſtrict
[illegible] Perſon who had the Management of
[illegible] was to underſtand, the Fault was entirely
[illegible]

Q. Whether

Q. Whether the Begums had any Thing to do with ſupplying the Maintenance of the Khourd Mahl?

A. Really I cannot pretend to ſay; but I never heard that they did.

Q. Whether the Britiſh Reſident, or the Commander of the Troops at Fyzabad, or any other Britiſh Subjects, ever exerciſed any Interference in, or Controul over, the Khourd Mahl?

A. I have already depoſed, that the Reſident had wrote to me that the Engliſh could not interfere, directly or indirectly, with any Concern of theirs: and I never heard of their doing ſo, further than that Major Gilpin had prevailed upon the Reſident to let him advance Lutaffut Ali Khan ſome Money for their Support.

Q. Whether the Women of the Khourd Mahl were not permitted to paſs and repaſs freely from the Khourd Mahl at the Time the Guards were ſtationed near it?

A. I have already depoſed, that I hired a Woman, for the Purpoſe of examining the Doolies, to ſee whether Valuables were carried out; I had no Kind of Right to ſtop them one Way or the other, any further than if they carried out Valuables.

Q. Was that Examination exerciſed over thoſe who paſſed backwards and forwards from the Khourd Mahl, as well as from the Zenana?

A. It was over all; all the Doolies were examined, to ſee if they were carrying Gold or Silver, or Valuables, out: If they were not, they were ſuffered to go.

Q. In what Building were the People kept that belonged to the Khourd Mahl?

A. It was called the Khourd Mahl.

Q. Where was it ſituated; in the ſame Place as the Zenana?

A. It was upon the left Side of the Gardens, of the Gate —— I have forgot the Name of the Gate now.

Q. Was it within the ſame Gardens?

A. On One Side of the Gardens, going from the principal Gate that went to the [illegible] were on the Left Side, and the Cois Mahl, where the Begums reſided, was [illegible] Hand Side.

Q. So they were both in the ſame Gardens?

A. Yes, on different Sides.

Q. And the very ſame Care was taken of the Doolies, whether they [illegible] from the other?

A. Yes, they were examined before they went out; there was a large G[illegible] Mahls, or Two Zennas; it was a large Place; that which was called The [illegible] ſuppoſe, not leſs than 700 or 800 Yards one Way, and, I ſuppoſe, 400 [illegible] Way; with a large Mud Rampart round it.

Q. You ſay, the ſame Care was obſerved with reſpect to the Doolies, whether they came from the one Place or the other?

A. Yes.

Q. If a Dooly is not a cloſe covered Carriage of ſome Sort?

A. It is a Conveyance, made ſomething like a very ſmall Bedſtead, not long enough to ſay [illegible] tended upon, but to ſit upon; I mean the common Dooly; and it is carried with a great Stick, by Two Men before and Two Men behind, ſomething in the Manner of our Chairs, only it is [illegible] ried on Mens Shoulders, with a Cloth covered over, to prevent the People within from being ſeen.

Q. A ſmall covered Chair?

A. Yes, ſomething in the Nature of a ſmall oblong Bedſtead, rather longer one Way than the other.

Q. But covered, and cloſed up?

A. Yes.

Q. Did they ever ſend you any Meſſage about it?
A. I do not recollect they did.

Q. Whether the Begums were, by the Seizure of their Treaſure, from the beſt Information you have upon the Subject, reduced to a State of great Poverty and Diſtreſs; or whether they afterwards continued to live in great Splendour and Affluence?

A. The Begums were in the ſame Situation before I went, as they were at the Time that I reſigned the Charge to Major Gilpin. As to how they were ſituated, it was impoſſible for me to know, as no Europeans ever had an Opportunity of ſeeing them; nor any other Man, except their Fathers, Brothers, and Huſbands. As to their Situation, I cannot aſcertain further than this;—I have no Reaſon to think they were in Want, except from their refuſing to make good the Payment; and I really was inclined to think, they could have paid it if they choſe.

Q. But what Eſtabliſhment, or Servants, had the Begums before you took Charge of the Palace?

A. What Servants the Begums had, I cannot pretend to ſay, that were in the Palace; without the Walls, there was a very great Number about them; but the Number it is impoſſible to aſcertain.

Q. Whether, as to all external Marks of State and Splendor, they were different from what they were before: Can you deſcribe what their Marks of Splendor were, from the Manner of living of the Begums, when you had the Charge of them?

A. They had Numbers of armed Men at their Gates, I ſaw, as I rode by the Begums Houſe.

Q. What the Nature of the Eſtabliſhment was within, you never had an Opportunity of knowing?

A. I had not.

Q. You do not know whether there were Forty Servants or more; or whether there were great Rooms or not?

A. There muſt have been a great many more than Forty; I cannot ſay how many: I had no Opportunity of knowing further than what I ſaw at the Gate.

Q. What Number of armed Men were thoſe you obſerved upon the Outſide of the Palace?

A. [illegible] the Number; I have ſeen a very great Number at one particular

[illegible] Manner of Guards?

[illegible] Gates; and would oppoſe any Perſon offering to go in, that was

[illegible] by?

A. By the Names of Peons, Spear-men, and Matchlock Men.

Q. Were there any Nudjeebs amongſt them?

A. I underſtood always, thoſe Matchlock Men were of that Quality; they bore Matchlocks, which are Guns fired with Matches.

Q. Whether a Report did not prevail among the principal Black People of Fyzabad, that the Begums and their Eunuchs had given Signs of Diſaffection during the Diſturbances at Benares?

A. I have heard thoſe Things reported by ſome of the Black People.

Q. Do you know Hoolas Roy?

A. Hoolas Roy was a Man left by Major Naylor to conduct the Buſineſs with the Priſoners.

Q. What has Hoolas Roy, himſelf, ſaid to you upon the Subject?

The Managers for the Commons objected to the Queſtion.

Q. Whether Hoolas Roy was not one of the Perſons who circulated that Report which was ſaid to be general?

A. I cannot ſay who circulated the Report. I have heard Hoolas Roy mention a Circumſtance, which was corroborated by a Letter ſent to me by the Reſident, that there had been Letters intercepted between the Begums Miniſters and Cheit Sing; but how far this was the Caſe, I cannot pretend to ſay.

Q. Whether you ever underſtood from Hoolas R[illegible] that he had in Fact ever made an Affidavit?

A. I never heard a Thing of the Kind drop from [illegible] outh, that I recollect.

Q. [illegible] while you was at Fyzabad, you ev[illegible]ote to Mr. Haſtings, or tranſmitted any L[illegible] Haſtings from the Begums or their Mi[illegible]ers?

A. [illegible] I recollect; and I certainly ſhou[illegible] have recollected it, if I had done any Thing

Q. Whether

Q. Whether, in all the Tranſactions at Fyzabad, you did not act entirely under the Orders of Mr. Middleton or Mr. Johnſon, or of the Military Commander, and not in conſequence of Orders received from the Governor General and Council at Calcutta, or the Governor General himſelf?

A. My Orders were immediately from the Reſident at Lucknow; whoever was Reſident, I underſtood I was to receive my Orders from him, and from no other Perſon: The commanding Officer, to whom I was to report, was alſo to receive Orders from the Reſident.

Q. I underſtood you before, that you had made your Reports, with reſpect to the Priſoners, to Mr. Johnſon and Mr. Middleton.

A. I did: They were the Two Perſons from whom I received my Orders.

Q. Becauſe you are now underſtood to ſay, you made all your Reports to your own Military Officer?

A. No: Only of the Detail of my Corps; the others I made to the Reſident.

Q. It having been ſuggeſted that Shumſhire Cawn was taken into Cuſtody for a ſhort Time, and then enlarged, and that he was not in your Cuſtody; did not Shumſhire Cawn continue in your Charge during the whole Time the Two other Priſoners were continued under your Charge, till they were turned over to Major Gilpin?

A. To the beſt of my Recollection, I received him from Major Naylor, and I delivered him over to Major Gilpin.

Q. Did you not keep him in Cuſtody the whole Time?

A. The Whole of the Time, I believe.

Q. Do you remember any Drought in the Country of Oude, or any other Part of India, in 1779, or 1780, 1781, or 1782? Was you, during thoſe Four Years, in the Country?

A. I was.

Q. Do you remember, in any of the Seaſons of thoſe Four Years, a remarkable Drought there?

A. Really I cannot anſwer exactly as to that; I recollect going to Fyzabad in 1782; it was by no Means in ſo flouriſhing a Condition as it was when I was there in 1773.

Q. Was that Decay which you obſerved in 1782, attributed to any remarkable Drought, a Defect of the Seaſon, or to what other Cauſe?

A. I cannot charge myſelf to anſwer that Queſtion.

Q. You underſtand the Word Drought?

A. I underſtand the Word very well; but I cannot charge my [illegible]

Q. What Sort of a Decay was it? Were there fewer Houſes?

A. I obſerved it was not ſo well tilled, ſo rich, or flouriſhing; but fr[illegible] cannot pretend to ſay: The Tillage moſtly there, is Water drawn from [illegible] to the Banks of the River.

Q. Did you obſerve whether the Want of Tillage was occaſioned by [illegible] Labourers, or by the Want of Wells and Canals, where it was not carried fro[illegible] Banks of the River?

A. I really cannot pretend to ſay, whether it was Want of Hands, or not; the Country ſeemed to be well filled with People, as I marched.

Q. Do you know any Thing of any regular Eſtabliſhment of the Nabob's Cavalry?

A. I do not.

Q. (*by a Lord.*) When you relieved Major Naylor, whether you received any other Inſtructions than thoſe, to take the Charge of the different Buildings or Encloſures of the Zenana and Khourd Mahl; becauſe it is mentioned, in a Letter from you to the Reſident, that you deſired an Allowance of Money for providing Ammunition; and, I think, it is ſaid upon Account of Inſtructions you received: What other Inſtructions did you receive from Major Naylor, when you ſucceeded to that Command?

A. Major Naylor delivered up the Charge of the Priſoners; I was ordered to take Charge of the Palace, and to ſupply the Guards that I relieved, which had been placed there by Major Naylor; and I was to receive further Inſtructions from Mr. Briſtow, as I obſerved before, regarding thoſe other Charges; my Battalion was then newly divided, it was one Battalion formerly, and at the Time I took the Command it was divided into Two; there were then about 700, but in conſequence of the Diviſion they were raiſed to a Thouſand Rank and File; the beſt Part of my People were Recruits. I had not above 50 [illegible] Men that I conceived had ever fired; it was in conſequence of this I required the Ammun[illegible]

Q. Whether you know there was an[illegible] Order than thoſe for the Care of the Zen[illegible] can you explain why you put your Battalio[illegible] any particular Order, in conſequence of [illegible] ſtruc-tions you received from Major Naylor?

A. In the Letters I wrote to the Reſid[illegible], I believe I mentioned every Partic[illegible]

Q. (*by the Managers.*) You have ſtated, that you never prevented any of the Women from leaving the Zenana; that they were not confined; that any Perſon that choſe it might come out, only being ſearched, to prevent their taking out Valuables. Explain this Letter of the 21ſt February 1782.

" To Richard Johnſon Eſquire, Reſident at the Vizier's Court.

" Sir,

" Encloſed, I beg leave to tranſmit you a Chit ſent to me by Lattafit Ally Khawn, Head Durogah of the Kourd Mhal, who has repreſented to me that a Number of Women who went into the Zenanah to ſee their Relations, are ready to lie-in, and wiſh to come out of the Zenanah for that Purpoſe. He has applied to me to order their Releaſe; but as I do not think I am authoriſed ſo to do, from the Nature of the Inſtructions received by me from Major Naylor, I requeſt your Inſtructions, how I am to act.

" I have the Honour to be,
Sir,
Your moſt obedient humble Servant,
(Signed) Leo[d] Jaques, Captain
2d. Batt. 20th Reg. Sepoys." (*a*)

" Palace, Fyzabad,
February 21ſt 1782.

By this Letter, it ſeems as if it was impoſſible for a Woman with Child to come out of the Zenana, without a particular Licence given.—Do you recollect how that is?

A. Immediately upon my going there, I was not quite ſo well acquainted with the Reſident's Wiſhes as I was afterwards; of Courſe, as to thoſe Points I was not thoroughly acquainted with, I took the earlieſt Opportunity of informing myſelf. Lettaffit Ali Cawn knew that the Doolies were examined, and moſt probably he did not wiſh that ſome of thoſe People ſhould be examined.

Q. Whether you received any Anſwer to that Letter, authoriſing you to let Perſons go in and out, and thoſe People in particular?

A. I really conceive I muſt have received a Letter in Anſwer to that; but the Spirit of my Orders was ſheerly to prevent Treaſure and Valuables coming out: I had no Orders to keep any Body from coming out, except they were carrying Valuables.

Q. Then you now ſtate, that all the Friends of the Priſoners were allowed to have free Intercourſe?

A. If you pleaſe, I [illegible] that will ſet that Matter right; whoever Hoolas Roy ſaid might come in, I was authoriſed to admit.

Q. By a Liſt, or by Directions from Hoolas Roy?

A. I had no Liſt: Hoolas Roy was a Perſon left with me to direct who ſhould, and who ſhould not go in.

Q. Therefore the Liberty you mean was, a Liberty for all whom Hoolas Roy did not forbid?

A. Yes.

Q. When any Perſon applied to come in, were they ever permitted to go, without previous Application to Hoolas Roy, to know whether it was proper?

A. There were none refuſed, except they appeared to be improper Perſons to be admitted; there were many People went in and out.

Q. What was that Appearance which made you determine them to be improper Perſons?

A. If there had been any armed Men, I ſhould not have ſuffered them to go in, without conſulting Hoolas Roy; if there had been any other great Men, as I had generally People about me who had a tolerable Knowledge of the People belonging to that Place, if there had been any that ſeemed to be of high Rank and Condition, I ſhould not have admitted them, without having conſulted Hoolas Roy, whether it was proper for them to go in or not.

Q. Did he permit Letters to paſs to and from thoſe Perſons?

A. Not Letters: I ſtopped all Letters.

Q. All Letters?

A. Yes, all Letters that appeared to be of a ſuſpicious Nature.

Q. What were the Things that determined your Judgem[illegible] of the Letters that were ſtopped?

A. I had a Moonſhy to read them.

Q. To read the Inſide of the Letters, as well as the Di[illegible]s without?

A. To read [illegible]ficient.

Q. [illegible]n?

A. [illegible] Letters that come within an outſid[illegible]per, ſealed, and you may eaſily draw out th[illegible]king the Seal.

(*a*) Vide ſupra, P. 8[illegible]

Q. Suppoſe

Q. Suppoſe a Letter had appeared to you doubtful, ſhould you have gone to Hoolas Roy about that? Did you ever apply to Hoolas Roy to know, whether you ſhould deliver any Letters that were brought there or not?

A. I believe I very often did. There was one Thing I would wiſh to mention; there were many Letters, and little Notes, on trifling Subjects, coming from one Merchant to another, and from one Servant to another; thoſe Things we were able ſufficiently to underſtand, without the Trouble of opening them.

Q. Without the Trouble of opening them?

A. Many that the People knew what might be in them.—Nothing that would militate againſt my Inſtructions.

Q. Have you a Copy of the Inſtructions that were given you?

A. I really do not know that I have any Copy of them.

Then the following Letter was read from Mr. Middleton's Letter Book A, already delivered in, beginning at Page 100 of the ſame Book.

" To Richard Johnſon Eſquire, Reſident at the Vizier's Court.

" Sir,

" Encloſed I beg leave to tranſmit you a Letter from the Two Priſoners, Bar Ally Khawn, and Jewar Ally Khawn, in Anſwer to One they received from you this Morning, which they would have not received had I not known it was from you, conceiving it was contrary to my Inſtructions, which are to prevent their having any Intercourſe with their Adherents.

" I have the Honour to be,
Sir,
Your moſt obedient,
humble Servant,
(Signed) Leo[d] Jaques, Capt[n]
2[d] Batt[n] 20th Reg[t] of Sepoys."(a)

" Palace, Fyzabad,
February 22d 1782.

Then the following Queſtion was put to the Witneſs.

Q. What Anſwer did you receive to this Application to Mr. Johnſon?

A. I was directed in it to admit none but thoſe that Hoolas Roy approved of; I believe that was the Anſwer.

Q. Have you that Anſwer?

A. I believe I have nothing of the Kind.

Then the following Extract of a Letter from the Witneſs to Mr. Middleton, dated Fyzabad, 23d April 1782, was read from Book A, already delivered in, beginning at Page 165 of the ſame.

" Nathaniel Middleton Eſquire, Reſident at the Vizier's Court.

" Sir,

" Allow me the Honour of informing you, that the Place, the Priſoners Bar Ally Cawn, and Jewar Ally Cawn are confined in, is become ſo very unhealthy from the Number obliged to be on Duty in ſo confined a Place, at this hot Seaſon of the Year, and ſo ſituated that no Reduction can with Propriety be made from their Guard, it being at ſuch a Diſtance from the Battalion.

" I ſhall be glad of your Permiſſion to remove them to a Houſe more contiguous to the Battalion Lines, and where they will be in more Security, with One Third of the Number, than they are at preſent. (b)

(Signed at the End) " Leonard Jaques, Captain commanding at Fyzabad."

Then the following Queſtion was put to the Witneſs.

Q. You have ſtated that the Priſoners were not treated with any Degree of Severity; do you remember whether you received any Anſwer to that Application?

A. I do.

Q. What was that?

A. To remove them.

Q. Where did you remove the[m]

A. I removed them to Jewar [Ally Cawn]'s Houſe; a very elegant commodious Houſe, lately built, cloſe by where I reſided myſ[elf] where the Battalion was.

Q. Where was the unhealthy Pl[ace] you removed them from?

A. Bahar Ali Cawn's Houſe.

Q. You have appeared to ſay, tha[t no] Severity or Hardſhips were [put upon the Priſoners]; explain this Paſſage in Mr. Middleto[n's] Letter of the 22d of May [1782].

(a) Vide ſupra, Page 855.

(b) Vide

End of their Confinement: " I am ſorry it is not in my Power to comply with your Propoſal of eaſing the Priſoners for a few Days, of their Fetters.—Much as my Humanity may be touched by their Sufferings, I ſhould think it inexpedient to afford them any Alleviation, while they perſiſt in a Breach of their Contract with me." (*a*) When Mr. Middleton expreſſes his Humanity ſo touched with their Sufferings, to what could he allude, if the Priſoners never ſuffered any Hardſhips of any Sort?

A. I have already repeated ſeveral Times, that I was ordered to put them in Irons; this you have been ſufficiently acquainted with, I preſume; and, except thoſe Particulars, I know of no Severities that were uſed towards them. I take it, that was an Application upon Account of their Sickneſs.

Q. You have talked of a ſpacious Garden which the Priſoners had the Uſe of. You ſay, in your Letter of the 18th May 1782, to Mr. Middleton, that " The Priſoners Bar and Jewar Ally Khawn, who ſeem to be very ſickly, have requeſted their Irons might be taken off for a few Days, that they might take Medicine, and walk about the Garden of the Place where they are confined, to aſſiſt the Medicine in its Operation. Now, as I am ſure they would be equally as ſecure without their Irons as with them, I think it my Duty to inform you of this Requeſt, and deſire to know your Pleaſure concerning it." (*a*) Did you receive any Anſwer to that Letter?

A. I did.

Q. Do you know where it is?

A. The Anſwer has, I believe, been read.

Q. Whether you ever had any Complaint of Hoolaſs Roy of his ill-uſing and beating the Servants of Bahar Ally Cawn and Jewar Ally Cawn?

A. There is a Circumſtance, with reſpect to the Behaviour of Hoolas Roy, that your Lordſhips may not think ſo well to go into; it is of ſome Length; it was reſpecting the Gunge, or Market, that they had the Profit of, that Hoolas Roy had interfered in a Manner I thought was not right.

Q. The ſingle Queſtion now put is, whether you recollect any Inſtance of ill Treatment inflicted by Hoolas Roy, upon the Servants of Bahar or Jewar Ali Cawn?

A. I did not conceive it to be of beating the Servants of Bahar and Jewar Ali Cawn; there was ſomething, whether it went the Length of beating I cannot ſay: It was not within the Palace, [illegible]ls of Fyzabad.

[illegible]wing Extract of a Letter from Capt. Leonard Jaques, dated, Fyza- 1782, and addreſſed to Nath. Middleton Eſquire, Reſident at the [illegible]vas read.

" To Nathaniel Middleton Eſquire, Reſident at the Vizier's Court.

" Sir,

" I have deſired Lieutenant Gawen to ſend you in his Bill, for the Expence he has been at during his Command, in which ſome Repairs to the Gun will be included; and, immediately on Major Gilpin's Arrival, I ſhall ſend you in my Bill, for every contingent Expence I have been at ſince the Firſt of April laſt. Agreeable to your Deſire, I now beg Leave to inform you of the Particulars of Hoolaſs Roy's Behaviour to me, and which are as follows: Soubah, who had been Chowdry of Begum Gunge upwards of Fifteen Years, and diſplaced by Hoolaſs Roy, came to complain, that his Mother, and ſome of his Servants, had been beat and abuſed by Hoolaſs Roy's Servants; acquainting me at the ſame Time, that their Reaſon for ſo doing, was his being much liked by the black People, who did not behave to the new Man ſo well as they had done to him; and that this occaſioned Hoolaſs Roy to ſuppoſe him acceſſary thereto. Hoolaſs Roy happening to be with me a Day or Two after, I aſked him about it; when he got very warm, obſerving, he did not expect, when he came to me, that he was to be queſtioned about every Complaint that might be preferred, and that he would write to you on the Occaſion. His Behaviour, in ſhort, was ſuch, as induced me to enquire, very minutely, into the Matter; when I found, that what the Chowdry told me, was very true, and that he had been very ill uſed by Hoolaſs Roy. In conſequence of this, I aſked Jerrour Sing (under whom the Gunge was, that this Man had been Chowdry to ſo many Years) about the Man: He told me, he was a good Man, and that his Father was then in his Employ, and that he gladly would replace him; which he did. Howlaſs Roy, nettled, I doubt not, at this, in a Day or Tw[illegible]er, meeting, at different Times, my Orderlies and Hircarrahs, thought proper to queſtion [illegible]t the Buſineſs I had ſent them upon, though entirely foreign to any Concern of his; and [illegible]atening Language to one or two who [illegible]be near his Houſe of Abode. Hi[illegible] for ſo doing I cannot tell; but ſhall [illegible]approve thereof.

" I ha[illegible] Honour to be, Sir,

[illegible], 1782. [illegible]r moſt obedient humble Servant,

(Signe[illegible] Leonard Jaques,

Captain commanding at Fyzabad."

(*a*) Vide ſupra, P[illegible]57.

Then

Then the following Queſtion was put to the Witneſs :

Q. You have ſtated, That, in conſequence of your Orders, you examined the Doolies that came from the Khourd Mahl; Whether you did not know that the Women confined in the Khourd Mahl, had ſome Property and Valuables of their own ?

A. I do conceive they muſt have had ſomething: I can give very little Information with reſpect to what they had. I have already depoſed, that Letaffit Ali Cawn complained they had ſold almoſt every Thing that they had; and that they alſo called out from the Tops of the Houſes, they were in a ſtarving Condition.

Q. What Inſtructions or Means had you to diſtinguiſh any Goods and Valuables, carried out of the Khourd Mahl, whether they were the Property of the Begums, or of the Women of the Khourd Mahl, or of the Viſitors in the Zenana ?

A. I ſhould have ſtopped Valuables, let them belong to whom they would, till I had had Mr. Middleton's further Inſtructions about them.

Q. Have you heard whether the Nabob had any Claims under the Mahommedan Law to the Property of thoſe Women of the Khourd Mahl, or to their Effects of any Sort ?

A. I always underſtood, but it is ſheerly from Hearſay, that they were altogether the Nabob's Treaſures.

Q. Was you informed of any Ground or Reaſon for ſeizing the Property of the Khourd Mahl, or was any ſeized that you know of, or heard of ?

A. I never found any Thing that I had Occaſion to ſtop from the Khourd Mahl.

Q. Do you know of any Body having ſtopped or ſeized any Thing, Treaſures or what elſe, from the Khourd Mahl ?

A. I do not.

Q. You never ſtopped any Valuables; do I underſtand you right ?

A. I never heard of any Thing found in the Khourd Mahl that was ſeized.

Q. Did you ever ſtop any Thing that came from the Khourd Mahl ?

A. I do not recollect that I did; nor do I recollect ſtopping any Thing from the Coll[illegible] for they knew my Orders pretty well, and took care accordingly.

Q. Was it frequent to ſtop the Doolies ?

A. I believe, ſcarcely a Day paſſed without.—I beg to offer [illegible] of my writing the Letter to Mr. Middleton, till I had his Anſwer, [illegible] to go out till I received his Inſtructions; till he choſe to pay me [illegible] thoſe Women any longer to examine them, till he agreed to pay my [illegible]

Q. How long was that Period ?

A. I ſuppoſe, about Three or Four Days.

Q. Whether you ever ſaw or heard of any Treaty with Mr. Middleton, by which the Maintenance of the Women in the Khourd Mahl was guaranteed to them by the Engliſh ?

A. I have depoſed, that I was written to by Mr. Middleton or Mr. Johnſon, telling me, we could have nothing to do with the Women of the Khourd Mahl, either directly or indirectly, regarding their Maintenance.

Q. Whether you heard that the Aſſignments made for the Maintenance of theſe Women were punctually applied to that Purpoſe ?

A. I have already depoſed they were not; but where the Fault lay, except between the Nabob and Collector, I do not know.

Q. Do you know the Lands out of which thoſe Aſſignments were payable ?

A. I do not.

Q. Do you know whether they ever were ſeized by Order of Mr. Middleton ?

A. I do not.

Then the following Extract of a Letter from Major Gilpin to Mr. Johnſon, dated the 4th of July 1782, was read.

" If nothing elſe will do, Recourſe must be had, for which I have the Sanction, to putting a Guard upon the Palace Gates of the [illegible]egum, and ſtraitening the entering of Proviſions for a Day or Two."

Then the following Queſtion [illegible] to the Witneſs :

Q. Whether any ſuch Orders were given [illegible]e ?

A. I cannot charge my Memory with any [illegible]ng of the Kind.

Q. How came your Battalion to be reduce[illegible]n the Manner you have [illegible]

A. I ſhould have told you in about Five [illegible]utes, if I had gone [illegible] Battalion had been Part of a Battalion o[illegible] Men; it was augm[illegible]

Diviſion which took place, to 1000, and there were 500 to each Battalion. There were a Number of Recruits; I had not above Fifty of the old Sepoys in my Battalion.—

Q. How came they to be reduced to Fifty?

A. In conſequence of the Draughts from the Battalion, before they were formed into a Regiment, moſt of the old Sepoys had been taken away: and in the latter End of 1780, or the Beginning of 1781, it was found neceſſary to augment the Eſtabliſhment of the Army; and that which had been a Battalion of Sepoys before, was augmented to a Regiment conſiſting of Two Battalions; a great many of the old Sepoys were continually draughted to other Places, and there were a great many new Sepoys at this Place.

Q. In 1780, or 1781, you ſay there was a general Augmentation of the Army; and between that and 1782, many Draughts had been made from that Battalion ſo augmented, by which Means your Battalion was reduced—Is it ſo?

A. Yes; and in conſequence of Major Naylor having been very particular and careful, with Twice the Number of Men, and Two Guns, I concluded it my Duty to take every poſſible Means I could to get my Battalion into a defenſive Situation. I found a great deal of Powder and Lead there; and I converted the Lead into Balls, and made up Cartridges, and practiſed my Men. This is the Circumſtance I alluded to and mentioned in my Letter to Mr. Middleton, and which I thought neceſſary to have refunded.

Q. How came your Battalion to be compoſed of Recruits ſo undiſciplined?

A. The Draught had been made before the Battalion was made into a Regiment.

Q. (*Croſs-examined.*) Whether the Object of this Examination and Search of the Doolies was not the Detection of the Begum's Treaſure only, and not applied to the Khourd Mahl?

A. That I believe was the Object.

Q. What do you mean by the Admiſſion of proper, and the Excluſion of improper Perſons; is it with Reference to Reſcue of the Perſons under Confinement; by improper Perſons, do you only mean thoſe that would have made a Danger of a Reſcue, or do you mean any other Deſcription of Perſons whatever?

A. Thoſe that would have been dangerous in point of Reſcue, I conceived to be the moſt particular, which I ſhould attend to; but upon many other Occaſions there might be ſuch People as it might have been improper for them to conſult with.

Q. You have ſaid already, you thought you ſhould not admit any Body of Rank or Conſideration, till you had firſt of all conſulted Hoolas Roy; was that the Idea you entertained?

A. That was my Idea, and agreeable to my Inſtructions.

Q. How long did the Priſoners remain at Bahar Ali Cawn's Houſe, before they were removed to Jewar's, which was the more commodious and better Reſidence?

A. I really cannot tell; I believe it was Eight or Nine Weeks, or a little more. The Letters will aſcertain it.

Q. What was the Extent of the Garden in Jewar Ali Cawn's Houſe?

A. There were two or three Gardens, all of which opened into each other. I ſuppoſe the Length of the Gardens might extend to ſixty or ſeventy Yards, and they might be about thirty Yards deep.

Q. Do you mean all the Gardens together?

A. I reckon them all together.

Q. Whether they were, in Fact, prevented from walking about the Gardens of Jewar Ali Cawn's Houſe?

A. They were not prevented walking about with their Irons on; but I could not take their Irons off, in Conſequence of the Application.

Q. What were the Weight of their Irons?

A. I ſuppoſe they might be about Two Pounds; they were made faſt with Couplets; they could not ſtep above a Foot at a Time; they could not make a Pace of above a Foot.

Q. Do you know the Irons that are uſed in the Priſons in England; were they like thoſe?

A. I cannot charge my Memory with what they are. I can deſcribe the Irons as they were.

Q. Deſcribe the Irons.

A. There [illegible] a round Ring to go round the Leg, wi[illegible]in it to admit the Leg, then the other [illegible]ght to, and they were rivetted toget[illegible] there was a long Link to each Iron[illegible] End of the Two Irons, and O[illegible]or the Centre, that is, Two Links and[illegible]

Q. [illegible] Shumſhire Cawn was con[illegible]ned in the Houſe of Bahar, and alſo of J[illegible]d from the Houſe of Bal[illegible] Ali Cawn with the other Priſoners?

A. [illegible]ion he was; I never [illegible]ollect a ſeparate Place for either of the Three;

Three; they were altogether in Bahar Ali Cawn's Houſe, till they were removed to Jewar Ali Cawn's Houſe.

Q. Was Shumſhire Cawn in Irons?
A. I believe not; I think not.

Q. Recollect whether he was, or was not, in Irons.
A. I really believe not; but the Letter which is in Evidence will aſcertain it; I think Bahar and Jewar Ali Cawn were the Two I was ordered to put in Irons.

Q. Why do you think ſo? Did your Orders apply to Bahar and Jewar Ali Cawn, excluſive of Shumſhire Cawn?
A. I never conſidered Shumſhire Cawn to be of that Conſequence as Bahar and Jewar Ali Cawn; I expected I ſhould, during my Command there, have had Authority to releaſe him.

Q. Whether he was not equally capable of eſcaping, if not put in Irons?
A. I believe it would have been very difficult, it muſt have been a Miracle, for any to eſcape.

Q. Were any Means taken to prevent the Eſcape of the One, which were not taken with reſpect to the others, except the Irons?
A. None; they were all in the ſame Place.

Q. Do you underſtand that the Irons were to prevent their Eſcape, or for any other Purpoſe?
A. Severities are mentioned in the Letter.

Q. Whether Hoolas Roy had any direct Authority over the Priſoners, but ſuch as he muſt have exerciſed through you?

A. He could not have done any Thing of the Kind without my Permiſſion: They might talk to him, or he to them.

Q. But he could not conſtrain them, or inflict any Thing upon them, but through you?
A. No.

Q. Did Hoolas Roy, in Fact, refuſe Admiſſion, or admit Perſons, without a perſonal Application to you?
A. I do not believe he did; my Sepoys would not have received any Orders but from me.

Q. I underſtood the Witneſs to have ſaid, no Perſon was ever refuſed: I underſtand him now to have ſaid, he does not imagine Hoolas Roy would have done ſo, without applying to him; but that the Sepoys might have admitted them without perſonal Application to him?
A. No, they would not.

Q. Not without applying to you?
A. There was a Subaltern Officer that mounted Guard, with ſuch a Number of Sepoys, in the Houſe with him.

Q. Do you underſtand that any Application was made to Hoolas Roy, ſo as to receive a Refuſal, without firſt coming to you?
A. I do not recollect any Applications being made that were refuſed.

Q. Whether you are quite certain that no Perſon who did apply was, in Fact, refuſed?
A. Many might apply to Hoolas Roy, and I could not be anſwerable for it; but none applied to me, that was refuſed.

Q. You ſaid, that nobody had Acceſs to the Begums, or any Means of knowing what their Treaſures were? Then what Foundation had you for ſuppoſing the Begums could have paid the whole Demand if they had been inclined to do ſo?
A. What Demand?

Q. The Demand made upon them by the Nabob of Twelve Lacks?
A. It muſt have been made through the Miniſter.

Q. The Queſtion is this; you have ſaid, you thought they could have paid that Demand if they would: Do you recollect having ſaid that?
A. Yes.

Q. Upon what Foundation did you ſay that?
A. I have always underſtood [illegible] the different black People of Fyzabad, that Bahar Ali Cawn was worth a Crore of R[illegible] Jewar Ali Cawn was looked upon to be always poor: He had expended all his Money [illegible]ng.

Q. Was that the Foundation you [illegible]pon, in ſuppoſing the Begums c[illegible] they would?
A. Yes; that was One; and beſide[illegible] have alſo underſtood that [illegible] ul Dowlah, there were a great many Cror[illegible] of Rupees in the Zenana[illegible]

Q. In what Time could you receiv[illegible]nſwers to your Let[illegible] Johnſon? What Time would it take [illegible]e them and receive

A. I believe in Two Days from the Night I wrote; it would arrive at Lucknow the next Night, and I ſhould have an Anſwer the Night following, I believe.

Q. What Length of Time would the Communication take up between you and them, if you thought fit to conſult the Governor General and Council at Calcutta, and to receive an Anſwer at Fyzabad?

A. I believe, within a Month.

Q. How many Miles had you marched from your Station to reach Fyzabad in the Country of Oude?

A. I was at Lucknow then.

Q. Then, did you obſerve any Symptom of Rebellion during your March from Lucknow to Fyzabad?

A. No; I did not obſerve any Thing of the Kind from Lucknow to Fyzabad. We had marched from Cawnpore, intending to go to the Jaghires; we were given to underſtand they were in Rebellion; but we turned off ſhort to Lucknow.

Q. To your Knowledge, had you, at any Period during your Reſidence in the Country, obſerved any Symptoms of Rebellion?

A. We were ordered with the 20th Regiment to march, I believe it was the 23d of December 1781; we were ordered to march to the Jaghires, where I underſtood they were in Rebellion, to ſuppreſs that Rebellion; and when we had got 7 or 8 Coſs from Dahnow, we received Orders to march for Lucknow. I could not doubt there was a Rebellion, otherwiſe the Regiment would not have been ordered for that Service.

Q. Whether, in obeying the Orders given you by Mr. Middleton and Mr. Johnſon, you did, or did not, conſider yourſelf as obeying the Orders of the Governor General and Council at Calcutta, and that they were acting under the Orders of the Government at Calcutta?

A. Surely I did.

Q. Did not your Guard command the Zenana, ſo as to be an effectual Confinement to the Women within it?

A. My Orders were to ſtop Valuables. Any ſingle Perſon, that choſe it, might have gone out?

Q. You cannot mean that, during the whole Time you were there, any Perſon might have gone out; becauſe you wrote a Letter, of the 23d of February, in which you ſay, you are not authoriſed to let any Women go out, or any Kind whatever, and deſire to receive Inſtructions upon that Head. Do you remember that Letter?

A. The poor People never were prevented; it was thoſe who went in Doolies that were examined.

Q. Attend to the Letter and the Period, and then ſay what you mean: The Queſtion is this: Did you mean to ſay, before the 23d of February, there was the ſame open Paſſage backwards and forwards, as there was afterwards, for the Women in Doolies?

A. As to the poor People, and low Dependants, they were never prevented; but the Women in a more eligible Situation, and Women of high Rank or Delicacy, would not go expoſed.

Q. Was the Confinement as eaſy before the 23d of February, as after?

A. If they had choſen to have gone out without Doolies, they might have gone out before.

Q. But if they choſe to go out in Doolies, they could not have gone out before that Letter of the 23d of February?

A. Any Women that were ſo indifferent about themſelves, as to go without being in Doolies, would never have been prevented either before or after; but thoſe who really did not chuſe to be ſeen by every body, could not go out before or after without being examined, becauſe Doolies, as it is in my Letter obſerved, might carry out Valuables.

Q. But the Queſtion is, Whether, without Examination, they could have gone out before the 23d of February?

A. Yes; there were many went out before: It was in Conſequence of Lettaffit Ali Cawn having applied to me for a Number of People to ſee their Friends, that I was doubtful of People having gone out, that probably it might not have been right to let go; and, that I might be cautious, and guard againſt doing any Thing improper, I applied to the Reſident, and the Reſident gave me Authority to let them go out.

Q. If I underſtand the Letter right, it implied, that nobody could go out before the 23d F[illegible] You ſeem to expreſs yourſelf th[illegible] authoriſed to let thoſe go out that [illegible] the Difficulty is, how you unde[illegible]u were not authoriſed to let them out, [illegible]fore the 23d February, ſubject [illegible] to that Examination?

[illegible] having been applied to by [illegible]ettaffit Ali Cawn, for thoſe Women going [illegible]pon me to apply to the Reſident to know his Will concerning it. I [illegible]t; but, before that, there were many that were let out and in

in

in Doolies; thoſe who went in in Doolies, we never troubled ourſelves about; but, when any went out, I had them examined by the Women.

Q. You ſeem to ſay, that, under the Spirit of thoſe Orders, this Searching was confined to the Women of Rank: Whether Women, going out on Foot, could not have conveyed Gold and Jewels, and Valuables, from the Zenana, as well as thoſe that went in Doolies?

A. Surely they might; but my Orders did not lay me under the Neceſſity of ſtopping them.

Q. You did not ſtop thoſe?

A. No; I do not recollect ſuch a Thing as One being ſtopped, except thoſe who went in Doolies.

Q. If you thought they might carry Valuables, why not ſtop them, as well as thoſe that went out in Doolies?

A. If I conceived they had had any Thing about them, I ſhould have ſtopped them.

Q. Whether the Claim you made for contingent Expences was allowed, and paid you by the Reſident?

A. Yes; it was.

Q. You marched, as I underſtand, to a Place called Cawnpore; and, upon your Arrival there, inſtead of going on to ſuppreſs what is called the Rebellion in the Jaghires, you was ordered to Lucknow, and then to take your Station at Fyzabad; I wiſh to know whether it was not a falſe Alarm: —Whether you did not underſtand that the Cauſe of your March to the Jaghires being countermanded, was that it was a falſe Alarm, and that in fact there was no Rebellion?

A. The Station of our Regiment was under Colonel Morgan at Cawnpore; we marched Seven Coſs from Dalmow, from whence we had Orders from the Reſident to march to Lucknow, the Reſident and his Body Guard being gone to Fyzabad, that Lucknow might not be left without Troops.

Q. Did you not underſtand at that Time that the Diſturbance, whatever it was, was ſuppreſſed or over?

A. We did not conceive it ſuppreſſed.

Q. Did you hear of any Action or Battle afterwards at the Jaghires?

A. After the Reſident arrived from Fyzabad at Lucknow, I was ordered to march to relieve *Major Naylor*; the other Battalion of our Regiment was ordered to march into the Jaghires.

Q. Did you ſee Major Naylor upon your Return to Fyzabad?

A. I do not recollect his coming to Fyzabad, after he left it upon my taking the Command.

Q. Did you ſee any Officer that had been with Major Naylor in that March to the Jaghires?

A. It was Major Gilpin that marched into the Jaghires.

Q. Did you ſee Major Gilpin after that?

A. Many Times.

Q. Was this after, or before the ſeizing of the Treaſures?

A. I met 43 Lacks between Lucknow and Fyzabad.

Q. When was you ordered to march to aſſiſt in ſuppreſſing the ſuppoſed Rebellion upon the Reſumption of the Jaghires?

A. We were ordered, I obſerved before, in December, I believe the 23d, to march to the Jaghires, and we marched One Day's March beyond Dahnow; there we received Orders to ſtrike off to Lucknow; and, in conſequence of the Vizier's returning to Lucknow, and the Reſident and his Body Guard, or a Part of it, with him, I marched to relieve Major Naylor; he went to his Command further into the Country, and Major Gilpin, with the other Battalion of our Regiment, marched to the Jaghires from Lucknow, and ſtaid in the Jaghires till the Beginning of June, when he came to take the Command at Fyzabad.

Q. You ſaid, you did not conſider Shumſhire Cawn to be a Man of the Conſequence of Bahar and Jewar Ali Cawn; was any Money expected from Shumſhire Cawn?

A. I do not recollect having had any other Inſtructions regarding Shumſhire Cawn, but ſheerly to detain him a Priſoner; I do not know any particular Reaſon for his being confined.

Q. Do you know whether he had [illegible] or not?

A. No, I do not.

Q. You had no Orders to put hi[illegible]?

A. To the beſt of my Remembran[illegible]none: But that will appear from

Q. (*by Counſel*). What was the Amou[illegible]the contingent Bill that was p[illegible]

A. Really I cannot now tell; I believe [illegible]out 300, or 400, or 500 [illegible]

Q. Whether any Proviſions were ever ſtopped from going into the Khourd Mahl?
A. None, that I ever heard of, or knew of.

Q. (*from a Lord.*) You ſay, while the Priſoners were under your Charge, they were under no Reſtraint in the Article of Diet; do you know whether they had any Difficulty in procuring Proviſions, ſuch as they wanted?
A. I do not conceive they had any.

The Witneſs was directed to withdraw.

The Managers for the Commons ſtated, they ſhould now proceed to lay before the Houſe the Correſpondence between Mr. Middleton and Major Gilpin, previous to their calling Mr. Middleton upon that Subject.

Read, the following Extract of a Conſultation of the 28th July 1783, from Book 81, already delivered in, beginning at Page 206 of the ſame Book.

" Fort William, 28th July 1783.

" At a Council; Preſent, Secret Dep. Monday.
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler, } Eſquires.
John Stables, }
Mr. Macpherſon indiſpoſed.

" Sir, Baugulpoor, 27th January 1782.

" I have received your Letter of the 20th inſtant. I thank you for the good News which it contains, and for the Proſpect which it has afforded me of a complete and proſperous Termination of the Meaſures impending.

" I deſire that you will endeavour to diſſuade the Nabob from concluding any Settlement with the Begums, until the Board, or myſelf, have been adviſed of the Amount of the Treaſure recovered from them, and of the Balance due at the lateſt Period from the Nabob to the Company.

" I hope to receive from you a Report of the final Iſſue of this Buſineſs, and of a Sum realized and in your Poſſeſſion for our Relief, in time to ſend Advice of both, by the Packet now under Diſpatch; and I ſhall keep it open until the 7th of next Month, but no longer, for that Purpoſe.

" I am, Sir,
Your moſt obedient Servant,
" (True Copy.) Nath. Middleton. (Signed) Warren Haſtings." (*a*)

Read, the following Extract from Mr. Middleton's Letter Book A, already delivered in.

" To Nathaniel Middleton Eſquire, Reſident at the Court at Lucknow.

" Sir,

" Agreeable to your Inſtructions, I went to the Priſoners, Bahar and Jewar Ally Cawn, accompanied by Hoolaſs Roy, who read the Papers reſpecting the Balance now due, &c. &c.

" In general Terms, they expreſſed Concern at not being able to diſcharge the ſame, without the Aſſiſtance of the Begum; and requeſted Indulgence to ſend a Meſſage to her on that Subject, and in the Evening they would give an Anſwer.

" I went at the Time appointed for the Anſwer, but did not receive a ſatisfactory one: In Conſequence of which, I deſired them to be ready, at the ſhorteſt Notice, to proceed to Lucknow; and explained to them every Particular contained in your Letter of the 1ſt inſtant reſpecting them.

" Yeſterday Morning I ſent for Lataffit Ally Cawn, and deſired him to go to the Bhow Begum, and deliver the Subſtance of my Inſtructions to her; which he did, and returned with the enclоſed Letter from her. From ſome Circumſtances which I have heard To-day, I am hopeful the Priſoners will ſoon think ſeriouſly of their Removal, and pay the Balance, rather than ſubmit themſelves to an inconvenient Journey to Lucknow.

" I have the Hono
Sir
Your mo t humble Servant,
gned) " M. Gilpin,
Major Com"

tract from Mr. Middleton's Letter Book D, already deli-

" To

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I have been favoured with your Letter of the 5th inſtant, informing me of the Steps you had taken in conſequence of my Inſtructions of the 1ſt, and covering a Letter from the Bhow Begum, which is ſo unſatisfactory that I cannot think of returning an Anſwer to it. Indeed, as all Correſpondence between the Begum and me has long been ſtopped, I requeſt you will be pleaſed to inform her, that I by no Means wiſh to reſume it, or to maintain any friendly Intercourſe with her, until ſhe has made good my Claim upon her for the Balance due.

" I have now, in Conformity to my former Inſtructions, to deſire that the Two Priſoners, Bahar and Jewar Ally Cawn, may be immediately ſent under a ſufficient Guard to Lucknow, unleſs, upon your imparting to them this Intimation, either they or the Begum ſhould actually pay the Balance, or give you ſuch Aſſurances or Security for the Aſſets to be immediately forthcoming, as you think can be relied upon; in which Caſe you will of courſe ſuſpend the Execution of this Order———" (*a*)

The Counſel for the Defendant acquainted the Houſe, that underſtanding the Honourable Managers meant to have called Major Gilpin, they had not objected, as they might have done, to the above-mentioned Letters being read from the private Letter Book of Mr. Middleton; that Major Gilpin was attending, and might ſpeak to the Facts; but the Tranſcript of theſe Letters in the private Letter Book of Mr. Middleton was no Evidence; and they ſhould have interpoſed before, if the Managers had not intimated that they would call Major Gilpin.

The Managers for the Commons ſaid, they utterly denied having intimated to the Counſel that they intended to call Major Gilpin: As to the Letter Books not being Evidence; they had been admitted as Records throughout the Whole of the Proceedings upon this Article.

The Counſel for the Defendant obſerved, they had not renounced their Right to object to the Letter Books in queſtion, when, in their Diſcretion, they ſhould think fit ſo to do.

The Counſel for the Defendant being aſked what their Objection was, made Anſwer, that they objected to the Tranſcript of a Letter in Mr. Middleton's private Letter Book being read, without any Proof being given of the Exiſtence of the Original; and were heard in Support of the Objection.

The Managers for the Commons were heard in Anſwer.

Then NATHANIEL MIDDLETON Eſquire was called in, and examined as follows:

Q. While you was Reſident at Lucknow, Major Gilpin was One of the Perſons employed under you at Fyzabad?
A. Yes.

Q. And he correſponded with you in the Courſe of that Employment?
A. Yes.

Q. What is become of the Letters he wrote to you in the Courſe of that Correſpondence?
A. They are in the Office at Lucknow.

Q. And that is the Place where they ought to be preſerved?
A. Yes.

Q. Are they all there?
A. I have no doubt they are all there.

The Witneſs was directed to withdraw.

Then the Managers for the Commons propoſed to read a Letter from Mr. Middleton to Major Gilpin, dated [illegible] 9th June 1782, from Mr. Middleton's Letter Book D, already delivered in [illegible]ing at Page 60 of the ſame Book.

The Counſel for the Defe[illegible]jected, that as to the Letter [illegible] to be read, there was clearly no E[illegible]ce that the Original ever [illegible],

(*a*) Vide infra, Page 874.

Major Gilpin, who was attending, either had it in his Poſſeſſion, or could account for its Loſs.

The Managers for the Commons were heard in Anſwer to this Objection.

The Houſe obſerved, that if the Objection was inſiſted upon, it muſt prevail.

Then the following Extract of a Letter from Major Gilpin, dated Fyzabad, 15th June 1782, and addreſſed to Nathaniel Middleton Eſquire, was read.

" Sir,
" Indiſpoſition prevented me replying to your Letter of the 9th inſtant, ſooner.

Then the Managers for the Commons propoſed to read the Letter of 9th June 1782, referred to in the Extract laſt read.

The Counſel for the Defendant objected.

The Managers for the Commons were heard in Support of the Evidence offered.

Then it was moved, that Mr. MIDDLETON be again called in; and being called in, he was examined as follows:

Q. What was your Mode of taking Copies of your own official Letters, when you wrote to any of the Perſons belonging to the Government?
A. They were taken by Writers in the Office, into a Book kept in the Office.

Q. Were they taken before your Letter was tranſmitted, or from any Copy of that Letter?
A. In general, I imagine, they were taken from the fair Copy.—It was my Practice to make foul Draughts of the Letters I had Occaſion to write.—Sometimes it might happen the Copies were taken from the foul Draught; but in general they were taken from a fair Draught, before it was tranſmitted.

Q. Were they taken before the Letter was tranſmitted, or after?
A. It is impoſſible for me to ſay in all Caſes.—In ſome Caſes, no doubt, they were taken after the Letter was tranſmitted, from the foul Draught; but in general moſt certainly from the fair Copy, before it was tranſmitted.

Q. Are thoſe Letters in your Books the original Copies you made, or Copies of thoſe Copies?
A. Copies of thoſe Copies.

The Witneſs was directed to withdraw.

Then the Managers for the Commons were further heard in Support of the Evidence offered.

The Houſe obſerved, that as yet the Paper produced had not been proved to be an authentic Copy; and the Objection being made, it was neceſſary to diſpoſe of it according to the Rules of Evidence.

The Managers for the Commons deſired Leave to retire for a few Minutes; and being returned, proteſted againſt there being any ſolid Objection to the Evidence offered; but waived their Right to produce it in preſent, to avoid a Diſcuſſion, which, if it ſhould be found material at any future Period, they ſhould hold themſelves at Liberty to enter into more fully.

MAJOR MARTIN GILPIN was then called in; and being ſworn, was examined as follows:

Q. Have you the Originals of the Correſpondence which paſſed between you and Mr. Middleton, at the Time you were ſtationed at Fyzabad?
A. I have.

Q. Where are they?
A. They are in the Country: They were authentica[illegible]e Houſe of Commons; and I did not ind[illegible] any Conſequence to bring them from t[illegible]try, after they had been publickly a[illegible]erwiſe I ſhould have had them here, [illegible]uced them before this Court.

[illegible] the Defendant being aſke[illegible]hether they meant to inſiſt upon [illegible]original Letters, made Anſwer, That, if Major Gilpin had [illegible] purported to be Copies of the Originals, and knew them

to be true Copies, they would not interrupt the Progreſs of the Proceedings with any Delay upon that Account.

The Managers for the Commons ſtated, that they could ſhew the Witneſs the very ſame Book which had been ſhewn to him in the Houſe of Commons, and which, upon Inſpection, he ſaid, contained correct Copies of the Originals.

Then a printed Book was ſhewn to the Witneſs, and the following Queſtion put to him.

Q. Did you compare thoſe printed Copies with the original Letters?

A. They were ſent up to me, and I did examine them with my own Letter Book, and with the original Letters which I received from Mr. Middleton; and there was very little Alteration in any of them; indeed, none of any Conſequence.

The Witneſs was directed to withdraw.

The Counſel for the Defendant obſerved, That the Evidence offered was not ſtrict legal Evidence; but they would not object to its being received.

Read, from the Book ſhewn to the Witneſs, intituled, "Minutes of the Evidence taken before a Committee of the whole Houſe of Commons, on the Articles of Charge of High Crimes and Miſdemeanors preſented to the Houſe againſt Warren Haſtings Eſquire, late Governor General of Bengal," the following Letter, from Mr. Middleton to Major Gilpin, dated the 9th of June 1782, beginning at Page 72, of the ſame Book:

"To Major Martin Gilpin, commanding at Fyzabad.

"Sir,

"I have been favoured with your Letter of the 5th inſtant, informing me of the Steps you had taken in conſequence of my Inſtructions of the 1ſt, and covering a Letter from the Bhow Begum, which is ſo unſatisfactory that I cannot think of returning any Anſwer to it. Indeed, as all Correſpondence between the Begum and me has long been ſtopped, I requeſt you will be pleaſed to inform her, that I by no *Means wiſh to reſume it, or to maintain* any friendly Intercourſe with her, until ſhe has made good the Balance of my Claim upon her.

"I have now, in Conformity to my former Inſtructions, to deſire that the Two Priſoners, Bahar and Jewar Ally Cawn, may be immediately ſent under a ſufficient Guard to Lucknow, unleſs, upon your imparting to them this Intimation, either they or the Begum ſhould actually pay the Balance, or give you ſuch Aſſurances or Security for the Aſſets to be immediately forthcoming, as you think can be relied on; in which Caſe you will, of courſe, ſuſpend the Executio n of this Order.

"I wiſh you, Sir, to explain Once more to the Priſoners the Imprudence and Folly of their Conduct in forcing me to a Meaſure which muſt be attended with Conſequences ſo very ſerious to them, and that when once their Removal to Lucknow is effected, it will not be in my Power to ſhew them Mercy, or to ſtand between them and the Vengeance of the Nabob. Adviſe them to reflect ſeriouſly upon the unhappy Predicament in which they will be involved in one Caſe, and the Relief whic ht will be in my Power to procure them in the other, and let them make their Option; but you will take care to convince them that this is the laſt Application which will be made to them. You will inform the Begum of theſe Inſtructions.

"I have nothing more to add, but that I rely greatly on your Abilities and prudent Management for a ſucceſsful Iſſue to this Buſineſs. You are already informed that my immediate Object is, the Recovery of the Balance due from the Begum, as ſtated in my Letter of the 1ſt inſtant, and notwithſtanding any Orders I may give you, I deſire you will conſider yourſelf to poſſeſs a diſcretionary Power to deviate from them as local Circumſtances may require, and, in ſhort, to purſue, unreſtricted, ſuch Meaſures as to your own Judgment ſhall appear beſt calculated to enſure the moſt certain and ſpeedy Accompliſhment of my Object.

"Lucknow, 9 June 1782.

"I have the Honour to be, Sir, your, &c.
(Signed) Nath. Middleton."

Read, from the ſame Book, the following Letter from Major Gilpin to Mr. Middleton, dated the 15th of June 1782, beginning at Page 73 of the ſame.

"To N. Middleton, Eſq. Reſident at the Court of Lucknow.

"Sir,

"Indiſpoſition prevented my replying ſooner to your Letter of the 9th inſtant [illegible]

"I explained every Circumſtance contained in your Letter to B[illegible] relative to them; and as I could not draw a ſatisfactory An[illegible] would be ready to proceed to Lucknow on Monday Morning t[illegible] for a Detachment to be in Readineſs to [illegible] them.

" Since which, various Meſſages and Plans for the Payment of the Balance were offered to me, both by the Begum and the Priſoners.

" In all of which, ſuch a Length of Time was required by the Parties to diſcharge the ſame, that I could not, conformable to your Inſtructions, attend to them.

" They urged my addreſſing you on the Subject; but I aſſured them it was in vain; that I had already acquainted you they were to march on Monday, conſequently it was not in my Power to keep them here any longer.

" Yeſterday the Priſoners requeſted to ſee me, and in the Evening I went to them.

" They informed me that the Begum was very deſirous to pay the Balance, but at preſent it was not in her Power to do it in Money; but that ſhe would ranſack the Zenanah for Kemcobs, Silks, Muſlins, Cloths, &c. &c. to that Amount; and that ſhe would even admit of a Deduction from the annual Allowance that would be made her for Subſiſtence in lieu of her Jaghire.

" I deſired them to advert to the murmuriug that the Sale of Articles on a former Occaſion cauſed, which they themſelves informed me of when I firſt demanded Payment of the Balance, and to the Reply I made them, which was, that a Gem To-day might be valued at 20,000 Rupees, yet if it was requiſite to turn it into Caſh, it might not ſell for Half the Sum To-morrow; conſequently, it was of no greater Value in Payment of that Nature than the Sum it actually ſold for.

" That I was ſure of the ſame Circumſtance in the preſent Caſe, and therefore adviſed them to urge the Begum for Payment in Caſh before Monday.

" I am yet hopeful that To-morrow will be a buſy Day. In the Morning I ſhall ſend to know what Time of the Day they will ſee me, that I may bring the Officer commanding the Eſcort to take Charge of them, which will probably have the deſired Effect.

" I have the Honour, &c.

" Fyzabad, (Signed) Martin Gilpin,
15th June 1782. Major Com^dg.^"

Read, the following Letter, from Major Gilpin to Mr. Johnſon, dated 20th June 1782, from the ſame Book, beginning at Page 74 of the ſame.

" To Richard Johnſon Eſquire, Act^g Reſident at the Court at Lucknow.

" Sir,

" After the moſt urgent Arguments, both to the Begum and the Priſoners, Bahar and Jewar Ally Cawn, for the Payment of the Balance, I found it was in vain to expect Money from them, without uſing Severities I was not impowered to inflict.

" I therefore (conformable to Mr. Middleton's Inſtructions) ordered the Priſoners to proceed to Lucknow, under a ſtrong Guard of Two hundred Men, commanded by Lieutenant Crow; and they marched from this on Tueſday the 18th inſtant, Two Coſs out of Town.

" When they arrived at the Ground, I wrote to Lieutenant Crow, and deſired him to tell the Priſoners, if they would pay the Balance that I would order them to return; and requeſted he would explain the horrid Situation they muſt be in at Lucknow, probably for Life.

" Lieutenant Crow could obtain no other Anſwer, than it was not in their Power to do it; but they requeſted I would urge the Begum again for Payment; which I did, and had the following Anſwer:

" Releaſe my Jaghire and my Cojahs, and then I will ſell Goods to that Amount."

" Next Morning the Priſoners marched to Begum Gunge, when Lieutenant Crow begged them to conſider their Situation, and offer Terms for Payment; that he would halt until he had an Anſwer from me; but they ſtill declared their Inability.

" I ſent again to the Begum, who returned me the ſame Anſwer as before.

" A Spy (that I had placed over the Priſoners, to attend to what Meſſages might paſs between them and the Begum) informed me, that on their Arrival at Begum Gunge, they ſent to the Begum, deſiring her to conſider, that their Situation grew more and more ſerious, and urged ſtrong Arguments to induce her to pay the Balance; that if ſhe did not, they muſt, at Lucknow, divulge every Secret to ſave themſelves.

" From this Meſſage I had hopes the Buſineſs would be ſettled, and I have waited in anxious Expectations of hearing from her all Day.

" The Cojahs one Day told me, that if I would pitch the Begum's Camp Equipage, and deſire her to prepare for an immediate Journey, in all Probability ſhe would pay the Balance due; however, I would not venture to take a Step of that Kind without your Orders and Authority, which, give me Leave to aſſure you, I ſhall be happy to [illegible], and that I will execute them with Pleaſure.

" I have the Hono[illegible]r,

" Yo[illegible]t obedient humble Servant,
(Signed) Martin Gilpin,
Major Com^dg.^"

Read,

Read, the following Letter from Mr. Johnſon to Major Gilpin, dated the 24th June 1782, from the ſame Book, beginning at Page 74 of the ſame.

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I have received the Honour of your Letter of the 20th. The Priſoners arrived here this Morning. Lieutenant Crow has delivered them over to Captain Waugh, and returns to you in a Day or two.

" I think their Hint to you a very good one, and worth improving upon; was the Bhow Begum to think that ſhe muſt go to Allahabad, or any other Place, while her Palace is ſearched for the hidden Treaſure of the late Vizier, it might go further than any other Step that can be immediately taken towards procuring Payment of the Balance outſtanding.

" The Priſoners are to be threatened with Severities To-morrow, to make them diſcover where the Balance may be procurable, the Fear of which may poſſibly have a good Effect; and the Apprehenſions of the Begum, leſt they ſhould diſcover the hidden Treaſure, may induce her to make you Tenders of Payment, which you may give any reaſonable Encouragement to promote that may occur to you.

" The Jaghire cannot be releaſed to her on any other Terms, nor even to the Nabob, until the Five Lacks, for which it was granted, be paid up; and the Priſoners muſt alſo be detained until the full 55 Lacks be liquidated; conſequently, nothing but the Fear of an Increaſe of Demand upon Breach of the Firſt Engagement on her Part, will induce her to prompt Payment.

" I have, &c.

" Lucknow, 24th June 1782. (Signed) " R. Johnſon."

Read, the following Letter, from Major Gilpin to Mr. Johnſon, dated the 27th June 1782, from the ſame Book, beginning at Page 75 of the ſame.

" To Richard Johnſon Eſquire, Reſident at the Court of Lucknow.

" Sir,

" This Morning I deſired my Commandant would ſend for one of the Begum's Cojahs, and enquire after her Health; that I ſuppoſe ſhe had forgot that I was here, and the Buſineſs I was ordered upon, by not hearing from her ſince the Priſoners went away.

" I deſired him, at the ſame Time, to enquire what Camp Equipage and Carriage ſhe had for it; and judging the Cojah would enquire the Cauſe of ſuch a Queſtion, I prepared him with a ſuitable Anſwer.

" The Cojah took the Alarm as I wiſhed, and deſired to know the Reaſon of ſuch Enquiry: The Commandant (of whoſe Fidelity I have had long Experience) replied, 'I do not know; I was 'with the Major this Morning, when he received an Expreſs from Lucknow, and, after reading 'his Letters, he deſired me to make Enquiry about the Begum's Camp Equipage, &c.; and he 'only added, However diſagreeable Orders might be, it was his Duty to obey them.'

" This Evening the ſame Cojah came to me, and told me, if I was at Leiſure in the Morning, he would be glad to ſpeak with me.

" From which I ſhould imagine ſhe has alſo taken the Alarm; and I acquaint you with the Particulars, that ſhould you think a Hint to Bahar Ally Cawn requiſite (from whom ſhe has Accounts daily) that Orders were ſent to me reſpecting the Begum, it might, at this Juncture, increaſe her Fears, and bring Matters to a ſpeedy Iſſue.

" I have the Honour to be,

Sir,

" Fyzabad, 27th June 1782. Your moſt obedient humble Servant, (Signed) Martin Gilpin, Major Com^dg.^"

Read, alſo, from the ſame Book, the following Letter from Mr. Johnſon to Major Gilpin, dated the 4th July 1782, beginning at Page 75 of the ſame.

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I received the Honour of your Letter of the 27th Ultimo; ſincerely hope your Endeavours at Fyzabad may meet with ſome Succeſs, as mine here, with the Priſoners, promiſe very little.

" If nothing elſe will do, recou[illegible] be had (for which I have the Nabob's Sanction) to putting a Guard upon the Palace Ga[illegible] Elder Begum, and ſtraitening the Entrance of Proviſions for a Day or Two, taking [illegible] no real Injury be ſuffered, only ende[illegible] by every poſſible Means.

" Lucknow, 4th July 1782. I have, &c.

(Sig[illegible]

Read, from the ſame Book, the following Letter from Major Gilpin to Mr. Johnſon, dated the 6th July 1782, beginning at Page 76 of the ſame.

" To Richard Johnſon Eſquire, Reſident at the Court at Lucknow.

" Sir,

" To give you a Relation of every Letter and Meſſage that has paſſed between the Begum and me ſince my Letter of the 27th Ultimo, would be intruding on your Time to little or no Purpoſe.

" It is however neceſſary to aſſure you, that I have done and ſaid every Thing that Imagination could invent or ſuggeſt to induce her to pay the Balance.

" One Day ſhe gives me Reaſon to expect a Reconciliation and Payment, the next ſhe expreſſes her Poverty and Inability without her Jaghire to mortgage for it.

" In ſhort, ſhe is the moſt obdurate of her Sex; and I fear I muſt poſt a Company of Sepoys at the Old Lady's Gate To-morrow, conformable to your Letter of the 24th inſtant.

" She has been ſo * told, that I have the Orders by me to remove her, and ſhe declares ſhe will put an End to her Exiſtence rather than ſuffer it; but theſe are Words of Courſe in her Situation. * Sic in Orig.

" The old Lady has offered me One Lack of Rupees to ſend for the Priſoners, to be paid in Twenty-four Hours after their Arrival at this Place.

" I have the Honour to be,
" Sir,
Your moſt obedient humble Servant,
(Signed) M. Gilpin,
Major Com^dg.

" Fyzabad,
" 6th July 1782."

Read, the following Letter from Mr. Johnſon to Major Gilpin, dated the 9th July 1782, beginning at Page 76 of the ſame.

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I am honoured with your Letter of the 6th. The Lack of Rupees offered by the Begum, would be of little Conſequence, if paid upon Condition of the Reſtoration of the Priſoners, through whom alone the whole Balance can be obtained, if it is obtainable. Unleſs therefore they will pay it without ſuch Condition annexed, the Negociation is fruitleſs.

" I have this Day ſent the Priſoners Word, that as they perſiſt in declaring that they know of no ſecreted or depoſited Treaſure in the Hands of the Bhow Begum, excepting that which they have paid to the Company; and further, that they poſſeſs no Means of liquidating the Balance, which were the only Purpoſes for which I brought them from Fyzabad, and for the Fulfilment of which I would have interceded for the Remiſſion of their Crimes againſt the Company; but this being now over by their Obſtinacy, I ſhould now ſend them to Chunar Gur, of which I gave them Four Days Notice, that as they were now about to be ſeparated for ever from their Principals, they might have an Opportunity of communicating to them whatever they might have to ſay on ſuch an Occaſion.

" This Meſſage I now make you acquainted with, that you may mention their Departure from hence for Chunar in the ſame Light to the Begum. It poſſibly may have more Effect than any Reſtraint upon their Palaces at Fyzabad; for if they would give One Lack to have them returned to Fyzabad, they may poſſibly give the 6½ to ſave them from a final Separation.

" The preciſe Terms upon which they offered the Lack I do not clearly underſtand from your Letter; whether they would give it merely to have their Priſon at Fyzabad inſtead of Lucknow, or whether any Sort of Enlargement is underſtood by it. In your future Letters, when you mention the Begums, I ſhall be obliged to you to diſtinguiſh them by the Appellation of the Bhow Begum and the Elder Begum; the Firſt is the Wife of Sujah ul Dowla, the latter his Mother.

" Lucknow,
9th July 1782.
I have, &c.
(Signed) R. Johnſon."

Read, alſo, from the ſame Book, the following Letter from Major Gilpin to Mr. Johnſon, dated the 11th July 1782, beginning at Page 77 of the ſame.

" To Richard Johnſon Eſquire, Reſident at the Court at Lucknow.

" Sir,

" Finding every Effort to obtain the Balance from th[illegible] Begum fruitleſs, I reſolved on poſt-[illegible] Company at the Gate of the Elder Begu[illegible]ce, agreeable to the Tenor of your [illegible]ſtant, which I did on the 9th in th[illegible]ng, but gave them no other Or-[illegible] their Poſt in caſe of any Oppoſit[illegible] not ſuffer armed Men to enter the

[illegible] had a Meſſage from the Elder Begum, deſiring me to go there, which

" I was

" I was conducted into a little Room, ſome Diſtance from the Houſe, where I ſtayed about Six Hours, endeavouring to adjuſt Matters with the Cojahs [the Conveyancers of our ſeveral Meſſages] but returned without coming to any Agreement.

" All next Day was ſpent in the ſame Manner; but in the Evening the Bhow Begum came to the following Agreement:

" That I ſhould write for the Priſoners Behar and Jewar Ally Cawn to be ſent back to Fyzabad.

" That immediately on their Arrival ſhe would deliver up all the ready Caſh ſhe had, towards the Payment of the Six Lacks and a Half.

" That what remained deficient, Goods ſhould be ſold to make good the ſame as ſoon as poſſible.

" That Mr. Johnſon ſhould nominate an Agent, who, with Behar Ally Cawn, ſhould attend the Sales, or receive the Goods in Payment by their Approvement.

" That ſhe agreed to deliver up every Thing valuable in her Poſſeſſion, to make good the ſame, which Bahar Ally Cawn only could come at.

" That the Guard ſhould be withdrawn, until Mr. Johnſon's Anſwer was obtained.

" That the Priſoners were (when the Balance was paid) to be enlarged.

" In conſequence of theſe Propoſals I withdrew the Guard laſt Night about Ten o'Clock.

" I have every Reaſon to believe the Bhow Begum will ſtand to this; and, from every Information, I do not believe we could come to a more ſpeedy Concluſion of this Buſineſs.

" Soon after I had withdrawn the Guard, I received your Letter of the 9th, and communicated the Contents to the Cojahs, which will certainly have a good Effect.

" It was the Elder Begum that offered the Lack of Rupees to be paid for the Priſoners being returned to this Place, but it was to be conſidered in Part Payment of the Six Lacks and a Half.

" I have the Honour to be,
Sir,
Your moſt obedient humble Servant,
(Signed) " Martin Gilpin,
" Major Commanding."

" Fyzabad,
11th July 1782.

Read, the following Letter from Mr. Johnſon to Captain Waugh, dated the 25th June 1782, from Book D, already delivered in, beginning at Page 66 of the ſame.

" To Captain Waugh.

" Sir,

" I conclude that Lieutenant Crow has delivered over to you Yeſterday the Two Priſoners from Fyzabad; and have to requeſt, that you will be pleaſed to ſend them under a proper Eſcort this Afternoon, ſo as that they may arrive before dark at the Bangalow, occupied until Yeſterday by Mr. Swainſton, where they will continue under your Guard.

" I have the Honour to be,
Sir,
Your moſt humble Servant,
(Signed) R. Johnſon,
Acting Reſident."

" Lucknow,
25th June 1782.

Read, the following Letter, from Mr. Johnſon to the Officer commanding the Guard, dated the 28th June 1782, from the ſame Book, beginning at Page 68 of the ſame.

" To the Officer commanding the Guard.

" Sir,

" The Nabob having determined to inflict corporal Puniſhment upon the Priſoners under your Guard, This is to deſire, that his Officers, when they ſhall come, may have free Acceſs to the Priſoners, and be permitted to do with them as they ſhall ſee proper; only taking care that they leave them always under your Charge.

" I have the Honour to be,
Sir,
Your moſt obedient humble Servant,
(Signed) " R. Johnſon, Acting Reſident."

" Lucknow, the 28th June 1782.

Read, alſo, from the ſame [illegible] the following Letter, from Mr. Johnſon to the commanding Officer of the G[illegible]ated the 23d July 1782, beginn[illegible] the ſame Book.

" To the Commanding Officer of the Guard[illegible]

" Sir,

" Some violent Demands having been made for the Releaſ[illegible] that every poſſible Precaution be taken for their Security. Y[illegible]

very ſtrict in guarding them; and I herewith ſend another Pair of Fetters, to be added to thoſe now upon the Priſoners.

" I have the Honour to be, Sir,
Your, &c.

" Lucknow, the 23d July 1782. (Signed) " R. Johnſon, Acting Reſident."

Read, from Book A, already delivered in, the following Letter, from the Commanding Officer of the Guard to Mr. Johnſon, beginning at Page 56 of the ſame Book.

" To Richard Johnſon Eſquire, Acting Reſident.

" Sir,

" I have received your Inſtructions, and ordered the Fetters to be added; but they are by much too ſmall for their Feet. The utmoſt Regard ſhall be paid to the Security of the Priſoners. I have ſent back the Fetters, that you may have them altered, if you think proper.

" I have the Honour to be, Sir,

" Lucknow, 23d July 1782. (Signed) " Robert Steere Allen,
Lieut. 31 Regiment, commanding Guard."

Read, alſo, from the ſame Book, the following Letter from Mr. Johnſon to Major Gilpin, dated the 17th July 1782, beginning at Page 78 of the ſame.

" Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I am honoured with your Letter of the 11th. I have no * Objection to the Begum's Propoſals for liquidating her Engagements, than that they are indefinite in Period, and in ſome Meaſure as to the Means ſhe is willing to declare in her Poſſeſſion for the Balance, and that there is no Sort of Hold or Security for the Peformance, beyond what I have poſſeſſed theſe Six Months paſt in vain—her Agreement, ſigned and ſealed. * Sic in Orig.

" I therefore requeſt you will deliver her the following Anſwer:——That if Promiſes or Agreements, without other Security, were of any Value, the preſent Trouble and Vexation ſhe ſubmits to, and has brought upon herſelf, would have had no Exiſtence; of courſe, that before I can in any Shape alter my Plan of preſſing, by every Means in my Power, the Payment of the Balance, ſhe muſt produce ſome reſponſible Security, which is always attainable by a Depoſit of the Caſh and Goods, in the Hands of ſome truſt-worthy Shroff, or other conſiderable Perſon, who may thereby be induced to become reſponſible for the Payment.——

" This done to my Satisfaction, and a Time fixed for the final Diſpoſal, at Profit or Loſs, of the Goods, I am willing immediately to agree to and complete every other Requiſition which ſhe has made through you.

" I before underſtood that the Lack offered was in Part Payment of the Balance; all I meant to aſk, whether the Eunuchs were claimed to be enlarged upon it, or only to be returned Priſoners to Fyzabad? If the latter is the Caſe, and that the Elder Begum will pay One Lack, and that at the ſame Time their Preſence ſhall appear abſolutely neceſſary to take out or diſpoſe of the Goods, &c. I will of courſe accept this Lack, which upon this Footing, in a Two-fold Light, muſt accelerate the Buſineſs.

" I ſuppoſe you have learnt nothing further of the Effect upon the Bow Begum, of the Threat of ſending the Eunuchs to Chunar.

" Lucknow, I have, &c.
17th July 1782. (Signed) R. Johnſon."

Read, alſo, from the ſame Book, the following Letter from Mr. Johnſon to Major Gilpin, dated the 22d July 1782, beginning at Page 79 of the ſame.

" To Major Gilpin, commanding at Fyzabad.

" Sir,

" I am juſt honoured with a Letter from you, without Date, informing me that the Bow Begum now demands the Releaſe of her Jaghire, and of the Priſoners, as Preliminaries to the final Adjuſtment of the ready Money Balance due from her. Her altering her Terms as ſoon as ſhe perceived any Appearance of ſmoothing her own Propoſals, proves the Neceſſity of my Caution in not truſting implicitly to her Promiſes, and requiring ſome Security for [illegible]formance upon her Behalf, previous to the Accom[illegible]ſhment on my Side of her Claims. How[illegible] Negotiations ſeem now out of [illegible] preſent new Demand of the previo[illegible]e of her Jaghire: She and her [illegible] Uſe of the Power and Force ſhe po[illegible] with the Jaghires during the late [illegible]tal Subverſion of the Nabob's [illegible]rnment, joined with ſo glaring an [illegible]reſt, that neither Party can ever again conſent to her being replaced

[illegible]ple in no Extremity; independent of which, the Jaghire is [illegible]e certain Collection, although in a dilatory Mode, of the

Six

Six Lacks and a Half due upon the ready Money Payment, and almoſt Three Lacks and a Half upon a ſeparate Order of Five Lacks, payable from the reſumed Jaghire; and the Poſſeſſion of the Priſoners and Palace are further Securities.—Was I voluntarily to relinquiſh theſe, in Exchange for ſome more Papers or Words of the Bhow Begum's, I ſhould moſt certainly throw the Company's Aſſignments into a Riſk that I could never anſwer; and it is very little ſhort of Certainty, that Ten Lacks of the Company's Balance would, by ſuch Proceeding, be irrecoverably loſt. To theſe Preliminaries, therefore, I can by no Means aſſent; and if no ready Money is to be procured from the Bhow Begum, or her Agents, I muſt be ſatisfied to remain in Poſſeſſion of the Palace, Priſoners, and Jaghire, and continue collecting by Degrees that which cannot be more ſpeedily acquired.

" With regard to Threats of Reſiſtance, they muſt (as far as I may be able to judge at this Diſtance) conſiſt in mere Shew; if they did not think fit to reſiſt when they had between 7 and 10,000 armed Men aſſembled, and we not yet in Poſſeſſion of the Palace and Avenues, there is very little Probability of their attempting it when we are in full Occupation of the Town, Fort, and every Poſt in it, and no armed Force on their Side but what is within their Garden Walls, which certainly cannot be many, as it has been One conſtant Object of the Regiment, ſince its Poſſeſſion of the Town, to prevent the Accumulation of armed Men in or near the Town. In ſuch a Situation, it would be more than Madneſs were they to attempt the Attack of 4 Battalions; nor could the Attack, if ſucceeded in, be of any Benefit to them.

" The Propoſal of evacuating one Place, and having it ſearched, and then evacuating the next upon the ſame Principle, is apparently fair.—But it is well known, in the firſt Place, that ſunk, bricked up, or otherwiſe hidden Treaſure is not to be hit upon in a Day, without ſome Guide. I have, therefore, informed the Nabob of this Propoſal; and, if the Matter is to be reduced to a Search, he will go himſelf to ſuch People as he may poſſeſs for Information, together with the Priſoners; and when in Poſſeſſion of the Ground, by puniſhing the Priſoners, or by ſuch other Means as he may find moſt effectual, to forward a ſucceſsful Search upon the Spot, he will avail himſelf of the Propoſal made by the Bhow Begum.

" In reply to the Two Queſtions you ſtate; firſt, ' Should her Forces attack the Guard round ' the Elder Begum's Palace, muſt I enter and extirpate them, to a Man?' And ſecondly, ' If ſhe ' will not come to any Alteration of Terms, am I to withdraw the Guard, or not?'

" To both theſe I need only obſerve, That the Object of diſtreſſing the Bhow Begum, by a Guard upon her Palace Gate, is merely to obtain a ready Money Payment from her of a Balance due upon an accepted Aſſignment of the Nabob's upon his late Father's Treaſure. But this ready Money, if not paid, *is recoverable in the Courſe of a few Months* upon the Jaghire in my Poſſeſſion. It is therefore not worth proceeding to any Extremities, beyond the One deſcribed, upon ſo reſpectable a Family. But, in Support of the Order, if the Servants of the Bhow Begum, or any other, attempt to drive off your Guard, they muſt of Courſe be ſupported in their Stations, and the Aſſailants puniſhed, repelled, and purſued, if they take any Road but the inner Parts of the Palace. Theſe muſt remain ſacred; and nothing can warrant any Entrance into them while we are at Peace with the Nabob Vizier, and only mean to enforce a ſpeedy, inſtead of a dilatory Payment. The Aſſailants may entirely be repelled, and the Poſt maintained, without purſuing within the Walls, unleſs the Poſt is totally commanded by Embraſures through a Parapet behind the Walls. In this Caſe they may avail themſelves of their Cover to fire upon the Guard, it is adviſable to take a more diſtant and covered Station, ſo as to diſtreſs Acceſs to, and Egreſs from the Palace, which will anſwer every Purpoſe required. I muſt repeat, that no Extremity can warrant a forcible, or other Entrance, into the Palace, under the Circumſtances that cauſe the ſtationing a Regiment at Fyzabad, which are merely to retain the Fort, and to teaze the Bhow Begum, if poſſible, into Payment. And unleſs, after the above Explanations, you deem the Preſence of the 23d Regiment abſolutely and indiſpenſably neceſſary to ſupport your Guard, be pleaſed, upon Receipt of this, not to delay its March into the Provinces.

" Lucknow,
22 July, 1782.

I have, &c.
(Signed) R. Johnſon."

Then MAJOR GILPIN was again called in.

Q. (*Croſs examined.*) At what Time did you arrive at Fyzabad?
A. On or about the Firſt of June.

Q. In what Year?
A. In the Year 1782.

Q. Whether Bahar and Jewar[illegible]n were delivered over to your Cuſtody [illegible] your Arrival at Fyzabad on the Firſt of June
A. They were.

Q. Was Shumſhire Khan delivered over alſo to you?
A. He was included.

Q. All the Three Priſoners were delivered over to you?
A. Yes.

Q. In what Place were they confined?
A. In Jewar Ali Khan's own Houſe.

Q. What Sort of a Place is that; and in what Manner were the Priſoners treated during the Time you had them in Charge?
A. It was a very elegant Houſe, built by Jewar Ali Kawn, as I underſtood; and he had laid out a very conſiderable Sum of Money in making it as commodious and like a Palace as he poſſibly could.

Q. And in what Manner were the Priſoners treated while under your Charge?
A. With all the Delicacy and Reſpect their Situation could poſſibly require.

Q. What Extent of Garden belonged to the Houſe?
A. I cannot poſſibly ſay; it was a very extenſive one.

Q. Had they Permiſſion to go into that Garden whenever they pleaſed?
A. They had, within their own Centinels that were placed within the Garden.

Q. What Part of the Garden did that confine them to; what Scope had they within the Centinels?
A. It was a very extenſive Garden, and the Centinels were on the Outſide. They were not allowed to go out of that Garden, but to walk at Pleaſure all round it.

Q. Do you mean that the Centinels were without the Garden?
A. There were Centinels without the Wall, and ſome within the Garden; thoſe Centinels within the Garden never interrupted their walking in the Garden at all, but were placed there to prevent their going out of the Garden.

Q. *(by a Lord)*. Then they had the whole Garden to range in?
A. Yes.

Q. *(by Counſel)*. What Orders were given to the Centinels reſpecting their Behaviour to the Priſoners?
A. After the general Order of Security, they were directed to treat them with as much Humanity and Tenderneſs as their Situation would admit of; not to interrupt them in any of their Paſtimes, or in any innocent Amuſement whatſoever.

Q. Were they in Irons at this Time?
A. They were.

Q. Do you know whether in point of Fact they did enjoy any of their uſual Amuſements and Society in that Place?
A. I really cannot ſay: I never ſaw any Entertainment there.

Q. Did you never viſit them?
A. Frequently.

Q. Did they make any Complaints to you of their Treatment?
A. None in particular.

Q. Were there any other Reſtraints or Severities exerciſed towards them, except keeping them in Cuſtody, and the Circumſtance of their having Irons on?
A. Not while I had the Charge of them.

Q. Did you ſee them after you ceaſed to have Charge of them?
A. I releaſed them at a diſtant Period from what we are now inveſtigating; but they were ſent from me to Lucknow; afterwards they were returned to me, and then I releaſed them.

Q. How long did they continue in your Charge from the Firſt of June 1782, when you took Poſſeſſion of them?
A. They went from me, I think, about the Fifteenth of June to Lucknow.

Q. And how long was it before they were returned into your Charge again?
A. They did not return to me till about the 17th of Auguſt.

Q. When were they finally diſcharged?
A. About the 4th of December that Year.

Q. [illegible]ued in your Cuſtody from the 17th o[illegible]ſt to the 4th of December?

[illegible] ſame Manner as they were [illegible]?

[illegible]e?
[illegible]t I rather think the Irons were taken off when they came

Q. Whether

Q. Whether you recollect about the 21ſt of July 1782, a Circumſtance of there being a Number of armed Men in the Begum's Palace, and the City in Arms?
A. About that Period there were.

Q. Give an Account of what you remember of that Period.
A. When I poſted the Guards over the elder Begum's Palace, they then aſſembled a great Number of Troops; I found it neceſſary to augment my Guard for ſome Time, till the Begum delivered herſelf up, and came into the Palace, and then I withdrew my Guard.

Q. What Diſtance of Time was there, between the firſt Stir that you mentioned, and the Begum's coming into the Palace.
A. Not many Days.

Q. Do you remember their having threatened to fire upon Lieutenant Crow, who commanded a Party there?
A. Lieutenant Crow reported that Circumſtance to me, and in conſequence I augmented the Guard.

Q. Where was Lieutenant Crow's Station at that Time?
A. At the Gate of the elder Begum.

Q. When was that?
A. That was in the Month of July 1782.

Q. Was that Report made to you in the Courſe of Orders, as a Military Report?
A. It was.

Q. Whether you recollect having repreſented, that you had Reaſon to ſuppoſe the elder Begum was very deſirous, and anxious to begin an Engagement?
A. I had every Reaſon to believe it.

Q. Did you repreſent that?
A. I repreſented it to the Court at Lucknow.

Q. What do you mean by beginning an Engagement?
A. To commence an Action—beginning to fire.

Q. What Forces had ſhe?
A. Some thouſands in the City.

Q. That were under her Command?
A. That were under her Command.

Q. What Number of Forces had you under your Command?
A. I had my own Regiment and Major Buchanan's, Two Regiments of Sepoys, and Four Pieces of Ordnance; about two thouſand Men in all.

Q. (*by a Lord*). In what Manner were the Begums Forces armed?
A. With Matchlocks and Sabres.

Q. Am I right, in ſuppoſing, that the ſole Object of all the Meaſures that were purſued againſt theſe Perſons, was to inforce the Payment of the Balance due from them?
A. It was; I underſtood it ſo.

Q. Were any ſuch Inſtructions given to you?
A. That was the Tenor of my Inſtructions.

The Managers for the Commons ſtated, that the Counſel ought not to ſtate it as a Balance due.

The Witneſs was aſked:

Q. Was it ſo called in your Inſtructions?
A. The Inſtructions ſpecified the Balance due; it was particularly ſo mentioned in my Inſtructions.

Q. Whether any Meaſures were purſued upon this Occaſion, that did not appear to you to be neceſſary for that Purpoſe?
A. I really do not comprehend [illegible] eſtion, ſufficiently to give an Anſwer

Q. You ſaid you kept the Beg[illegible] their Palaces, and confined
A. Yes.

Q. And you kept their Miniſters Jewan and Behar Ali Kha[illegible]
A. At that Period they were at Lucknow.

Q. But during the Whole of your Charge, while you was at Fyzabad, the Queſtion is, whether you knew of any Thing having been done with reſpect to the Begums or their Miniſters, which, according to your Judgement, was beyond what was neceſſary for compelling them to pay that Sum of Money?

A. I do not know how far it might be deemed neceſſary.—Thoſe were the Orders I received, and I executed them to the beſt of my Abilities.

Then the following Extract of a Letter from Mr. Gilpin to Mr. Johnſon, dated the 20th of June 1782, was read to the Witneſs.

" To Richard Johnſon Eſquire, Acting Reſident at the Court at Lucknow.

" Sir,

" After the moſt urgent Arguments, both to the Begum and the Priſoners Bahar and Jewar Ally Cawn, for the Payment of the Balance, I found it was in vain to expect Money from them, without uſing Severities I was not impowered to inflict." (*a*)

The Witneſs ſaid:

That was prior to the Time I am ſpeaking of.

Q. Whether you had not Reaſon to believe that the Begums could have diſcharged the Balance at once, if they choſe it.

A. I believe there was no Doubt but what the Begum might have diſcharged it, if ſhe had been inclinable ſo to do.—It is impoſſible for me to ſay for a Certainty; but I had every Reaſon to believe it.

Q. Whether, during all this Period, an Intercourſe by Letter was not kept up between the Begum and her Miniſters?

A. At that Period Bahar and Jewar Ali Khan were at Lucknow: How far ſhe might correſpond with them, while in Confinement at Lucknow, it is impoſſible for me to aſcertain.

Q. Did ſhe correſpond with them while they were under your Charge?

A. Frequently Meſſages paſſed; and, I dare ſay, Letters. I never gave any Orders to interrupt any Thing of the Kind.

Q. There is One Paſſage which has been read in your Letter of the 20th June 1782, it is repreſented in this Manner: " *The Cojahs One Day told me, that if I would pitch the Begum's* Camp Equipage, and deſire her to prepare for an immediate Journey, in all Probability ſhe would pay the Balance due:" (*b*) Whether the Cojahs did make ſuch a Repreſentation to you: Was that Repreſentation, in Fact, made to you?

A. It was made to me.

Q. By whom?

A. By the Cojahs.

Q. (*by a Lord.*) Who are the Cojahs?

A. The Eunuchs, Bahar and Jewar Ali Khan.

Q. Were the Cojahs in Priſon when they made this Repreſentation to you?

A. They were in the ſame Confinement they had always been in.

Q. Were they to have been releaſed upon this Demand being paid?

A. They were.

Q. (*from the Managers.*) Was this a Repreſentation made by the Priſoners themſelves, Bahar Ali Khan and Jewar Ali Khan?

A. I have anſwered it was.

Q. Perſonally?

A. Yes, perſonally.

Q. (*by Counſel.*) In that ſame Letter, dated 20th of June 1782, it is ſaid, " A Spy (that I had " placed over the Priſoners, to attend to what Meſſages might paſs between them and the Begum) " informed me, that on their Arrival at Begum Gunge, they ſent to the Begum, deſiring her to " conſider that their Situation grew more and more ſerious, and urged ſtrong Arguments to in- pay the Balance; that if ſhe did not, the ſt at Lucknow divulge every Secret ." (*c*) Whether ſuch a Repreſentat is ſtated in that Letter was made to

(*b*) Vide ſupra, ibid. (*c*) Vide ſupra, Ibid.

Q. Had

Q. Had you any Means of knowing, what that Secret was, which they would divulge at Lucknow?

A. I do not know; it is impoſſible for me to ſay what it was; it ſtruck me that it might be concerning Treaſure; it might be any other Circumſtance reſpecting the Troubles, Rebellion, or any Thing elſe; it is all Conjecture; but they ſeemed to lay great Streſs on the Secret.

Q. Did the Eunuchs divulge to you any Secret while they were under your Charge, correſponding to the Idea you entertain of the Word "Secret" here.

A. They did not.

Q. In a Letter from Mr. Middleton to you of the 1ſt of June 1782, it is mentioned that there was ſent to you "a Copy of a Letter received Yeſterday from the Vizier, authorizing and urging" him, Mr. Middleton, "to uſe every Means in" his "Power to enforce their Compliance;" whether you, in Point of Fact, received ſuch a Letter from the Vizier to Mr. Middleton: Was a Copy of it tranſmitted to you?

A. I recollect ſome Incloſure ſent me by Mr. Middleton about that Period for the Purpoſes mentioned, but I cannot charge my Memory exactly with them; and I think I have them ſomewhere amongſt my Papers.

Q. Whether it has been the uſual Practice, during all the Time you have been acquainted with the Service, for the Correſpondence between the Reſident and the Officers with whom he correſponded upon Buſineſs, to be ſent to Calcutta?

A. I cannot ſay whether they did or not: I tranſmitted none to Calcutta myſelf.

Q. Do you know whether it was ever uſual for the Officers who received Letters, to tranſmit thoſe Letters, or to keep them in their own Poſſeſſion: Yourſelf, for Inſtance?

A. I kept them all myſelf.

Q. Was that the uſual Courſe of the Office?

A. I cannot ſay.

Q. Did you underſtand it to be ſo?

A. I ſhould imagine every Officer would, for his own Security, keep the Originals.

Q. How long was you in India?

A. Seventeen Years and an Half, from the Year 1768, till the Beginning of the Year 1785?

Q. Did you underſtand *it to be uſual in that Country*, for the Natives to conceal their Treaſures——throughout the Whole of India? What Parts of Indoſtan were you in?

A. I was employed in the Upper Provinces in general.

Q. Have you had an Opportunity of knowing what the Cuſtom inquired after was?

A. It has been underſtood to be the general Cuſtom, for the Natives to conceal their Money.

Q. Is that Cuſtom confined to the Places where the Engliſh Government prevails, or does it extend to thoſe Places where the Native Government prevails?

A. It is pretty general throughout the Country.

Q. Do you mean to repreſent, that it is more or leſs prevalent where the Engliſh Government is, or where the Native Government is?

A. It is impoſſible for me to anſwer that Queſtion. In Calcutta, poſſibly they may not be ſo cautious; but up the Country, where they are ſubject to Invaſions and to Wars, there it is always underſtood to be the Cuſtom. Calcutta is a Place of Security, and they have not that Neceſſity for doing it; but I am not able to give a diſtinct Account of it.

Q. Was you in Oude at the Time of Sujah ul Dowlah's Death?

A. I was.

Q. Whereabouts?

A. I was encamped in the Rumna, which is adjoining to the City of Fyzabad, when Sujah ul Dowlah died.

Q. Sujah ul Dowlah reſided at Fyzabad?

A. He did.

Q. Was Sujah ul Dowlah's Army conſiderably in Arrear at that Time?

A. I believe it was.

Q. Were there not Apprehenſion[illegible] Inſurrection upon that Accou[illegible]

A. So much ſo——

Q. How near was this to the Death of Sujah ul Dowlah?

A. While he was lying a Corpſe, before the Funeral. I was [illegible] I, who was then a ſubaltern Officer in the Firſt Battalion of S[illegible] be ready with Four Companies at a Moment's Warning [illegible] might be in the City of Fyzabad in conſequence of hi[illegible]

Q. Do you know where Sujah ul Dowlah kept his Treaſures?
A. I always underſtood they were kept in the Zenana.

Q. Do you know whether the Revenues collected from Time to Time, by the Aumils, were carried into, and depoſited in the Zenana?
A. If the Treaſury was in the Zenana, undoubtedly the Collections were carried there.

Q. But you know it only from Report?
A. I do not know it of a Certainty; I had nothing to do with the Collections.

Q. Upon the Death of Sujah ul Dowlah, did that Treaſure become the Property, by the Laws of that Country, of his Widow, or of his Succeſſor, Aſoph ul Dowlah?
A. It is impoſſible for me to ſay; I do not know that he made any Will, or bequeathed it to any Perſon; it came into her Poſſeſſion.

Q. It came into her Poſſeſſion?
A. It was in her Poſſeſſion, by being within the Zenana.

Q. I underſtand you, Sujah ul Dowlah made no Will: Did you underſtand he made any other Diſpoſition of his Property in his Life-time?
A. I underſtood he gave a certain Jaghire, a Tract of Land, to his Wife, the preſent Bow Begum.

Q. But do you know of any Diſpoſition having been made, by Sujah ul Dowlah, of thoſe Treaſures in the Zenana?
A. I do not.

Q. Whether the Property, not the Poſſeſſion, did, in point of Fact, belong, by the Cuſtoms of that Country, to the Succeſſor, or to the Widow of the deceaſed Sovereign?
A. I ſhould imagine his Heir-apparent had the greateſt Claim to it.

Q. But you know nothing of it yourſelf.
A. I could not.

Q. Had you any Reaſon for imagining it?
A. No other than that there were Drafts made upon that Treaſure, immediately after the Death of Sujah ul Dowlah; and the Money that came from the Zenana, was depoſited in our Camp, and embarked on Board Boats, and tranſmitted to the Preſidency at Calcutta.

Q. Do you mean to ſay, that, according to your Judgement and Knowledge of the Cuſtoms of that Country, the Treaſures within the Zenana would have gone to the Nabob, and not to the Widow?
A. I ſhould rather think it would, when ſo ample a Proviſion was made for the Widow; but that is a Point of Law I am not competent to judge of.

Q. *(by the Managers.)* Whether you was not examined before the Houſe of Commons?
A. I was.

Q. *(from Counſel.)* How long did you continue at Fyzabad, from your firſt going there on the Firſt of June 1782?
A. On December 7th 1782, I marched from Fyzabad.

Q. Whether the Women in the Khourd Mhal were at that Time diſtreſſed?
A. At one Period they were; but I relieved them from that Diſtreſs, by giving them a Sum of Money.

Q. Upon whom did the Maintenance of the Khourd Mhal depend? Who maintained the Khourd Mhal?
A. His Excellency the Nabob Vizier.

Q. From whom was the Maintenance furniſhed; under whoſe immediate Care was it?
A. It was under the Charge of Lettaffit Ali Khan, and he received an annual Stipend from the Foujedar of Sahlone, which, I think, to the beſt of my Recollection, amounted to Forty thouſand Rupees annually, but they had neglected by ſome Means or other paying it, and the Women became diſtreſſed in conſequence; I repreſented it to the Court at Lucknow, and I paid them Ten thouſand Rupees, for which I have now the Receipts of Lettaffit Ali Kawn for Five thouſand e

at Relief afforded them by you?

Two Papers, indorſed "Lettaffit Ali Khan's Receipt for
Khourd Mahl."

Q

"Fyzabad,

" Fyzabad, 19th November 1782.

" Received this Day, from Major Martin Gilpin, the Sum of Twenty Son Korah Rupees, Five thouſand, for the Uſe of the Women in the Khourd Mahl Zenanah."

Here follow, in the Original, ſome Perſic Characters.

(L. S.)

Here follow more Perſic Characters.

" Fyzabad, 27th Nov. 1782.

" Received this Day, from Major Martin Gilpin, the Sum of Twenty Son Korah Rupees, Five thouſand, for the Uſe of the Women in the Khourd Mahl Zenanah."

Here follow, in the Original, ſome Perſic Characters.

(L. S.)

Q. Is the Paper in Perſian or in Engliſh?

A. I wrote one in Engliſh, and there is one in Perſian to the ſame Tenor and Effect, with their Seal to it.

Q. That is a literal Tranſlation that you read?

A. As near as poſſible.

Q. Was this Relief furniſhed by you to the Khourd Mahl, as Part of your official Duty, or from Motives of Humanity?

A. I did not conſider it as my official Duty. I thought it an Act I ought to do, ſeeing the diſtreſſed Situation that they were in.

Q. Did you do this upon the Nabob's Account?

A. I did; and received back the Sum, exactly as I had paid it, from the Nabob.

Q. Had you previous Orders from the Nabob?

A. I wrote to Mr. Briſtow. He told me he had written to the Nabob, and authoriſed me to draw upon the Engliſh Reſident for that Sum, which I did, and it was paid.

Q. Did the Nabob expreſs any Approbation, or Diſapprobation, of that Interference of yours?

A. He wrote me a very angry Letter upon the Subject, and told me, I had no Right to interfere with that Zenana.

Q. Was the Whole of that Eſtabliſhment under the Nabob and his Officers, or had the Engliſh any Concerns, and what, in it?

A. I never underſtood, the Engliſh had any Thing to do with it, at all.

The Witneſs was directed to withdraw.

Then the Houſe adjourned to the Chamber of Parliament.

Die Mercurij, 28° *Maij* 1788.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons informed the Houſe, that, in looking over the printed Evidence, they had obſerved ſeveral material Errors. They took it for granted, thoſe Errors were unavoidable, and entirely owing to the Haſte in which the Queſtions and Anſwers were taken down; which, at a proper Time, they meant to point out to the Houſe, and take their Pleaſure, as to the Manner in which they ſhould be corrected.

Then MAJOR GILPIN was again called in.

The Counſel for the Defendant deſired the laſt Queſtion and Anſwer, with which the Croſs Examination cloſed Yeſterday, might be read.

The ſame were read, as follows:

'Q. Was the Whole of that Eſtabliſhment under the Nabob and his Officers, or had the Engliſh any Concern, and what, in it?

'A. I never underſtood the Engliſh had any Thing to do with it, at all.'

Q. The Eſtabliſhment mentioned, was the Eſtabliſhment of the Khourd Mahl; whether there was any Intercourſe between the Khourd Mahl and the Begums?

A. None that I know of.

Q. Did the Begums, in any Manner, contribute to the Support of the Khourd Mahl?

A. They never did, in the leaſt, during the Time that I commanded at Fyzabad; I can only ſpeak as to that Period.

Q. Have you any Knowledge of that Subject: Might they, or might they not, have contributed: Whether you knew it, or not?

A. I always underſtood they had an Inveteracy againſt the Women of the Khourd Mahl, even in Sujah ul Dowlah's Life-time.

Q. Whether the Seizure of the Begums Treaſures, or their Jaghires, could, in any Reſpect, contribute to the Diſtreſſes that were experienced by the Khourd Mahl?

A. I do not ſee that it could, in any Reſpect.

Q. Do you know whether any Meaſure, in which the Engliſh were at all concerned, could produce, or in any Degree contribute, to thoſe Diſtreſſes?

A. I do not think, that the Interference of the Engliſh could have effected the Eſtabliſhment of the Khourd Mahl, in any Reſpect.

...d Yeſterday the Diſtrict which was aſſigned for the Maintenance of the Khourd

...ultanpore, and I apprehend that I ſhould have made a Miſtake, and ...as the Begum's Jaghire, but Sultanpore is the Diſtrict that was aſ... Khourd Mahl.

...pore was, in the Whole, or in Part, ever aſſigned to the

A. I

A. I cannot ſay that it was; all I know is, that Letaffit Ali Khan told me that Sultanpore was the Diſtrict from whence they drew their Subſiſtence; but whether the Whole of the Revenues of that Diſtrict were aſſigned for it, or whether they were to deduct 40,000 Rupees annually, I cannot ſay.

Q. What do you mean by deducting 40,000 Rupees annually? Do you mean whether the Aſſignment was of 40,000 Rupees only, or of the whole Rent?

A. What the whole Rent of the Diſtrict might be, I do not know; it might be Two or Three Lacks of Rupees; all I knew was, that they had their Subſiſtence drawn from that Diſtrict.

Q. But you ſpoke of 40,000 Rupees?

A. That was the Sum allotted them for their Maintenance; it was paid by the Foujedar of Sultanpore to Letaffit Ali Khan.

Q. The Queſtion was, whether you knew that the Country of Sultanpore was ever, in Part, or in the Whole, aſſigned over to the Engliſh?

A. I never heard of any particular Aſſignment of that Diſtrict to the Engliſh.

Q. I underſtand you to have ſaid, that the Sum of 40,000 Rupees annually was aſſigned for the Maintenance of the Khourd Mhal, paid to Letaffit Ali Khan, and by him diſtributed for that Purpoſe; whether that Sum was conſidered as ſufficient for that Purpoſe, if regularly paid?

A. Letaffit Ali Khan informed me, in the Courſe of Converſation at the Time of their Diſtreſſes, that if this ſtipulated Sum had been paid regularly, there never would have been any Cauſe of Complaint.

Q. Whether Letaffit Ali Khan was in any Reſpect ſubject to the Orders of the Begums, or either of them?

A. Not in the leaſt, that ever I underſtood.

Q. You was in the Country of Oude in 1779, 1780, 1781, and 1782?

A. The greateſt Part of them, I was.

Q. Whether you recollect any Drought in the Country in either of thoſe Years, or in all of them?

A. Yes; there was.

Q. In which?

A. In the Years 1781 and 1782.

Q. By Drought, you mean, a Defect of Rain from the Nature of the Seaſon?

A. Yes.

Q. Whether the Cultivation of the Country ſuffered conſiderably in Conſequence of that Drought?

A. Conſiderably.

Q. Whether you ever heard any Complaints, of the Engliſh Officers being ill-treated, in their Paſſage through the Country of Cheit Sing?

A. There have been many Complaints, that the People were inſolent to them, as they paſſed through the Country: I never met with any Interruption myſelf.

Q. I underſtood you was in the Country of Oude at the Time of the Inſurrection at Benares; whether, ſuppoſing the Engliſh Arms had been unſucceſsful at Pateeta, a general Inſurrection in the Country was not much to be apprehended at that Time?

The Managers for the Commons deſired the Counſel would mark the Period they alluded to at Pateeta, as there were Two Actions there.

The Witneſs was aſked;

Q. Was there ever an Attack upon Pateeta?

A. There was, by Colonel Popham.

Q. *(by the Managers.)* Where was you at the Time?

A. I was upon my March from the Mahratta Country, to join the Brigade under the Command of Colonel Morgan.

Q. Where was that Brigade then?

A. It was then in the Douab.

Q. *(by Counſel.)* Suppoſe the Britiſh Arms had been unſucceſsful against Pateeta, would it not have afforded a favourable Opportunity of taking advantage of it?

A. That is Matter of Opinion entirely. It would, under certain circumſtances, be a great encouragement to an Inſurrection.

Q. What did you know of the Situation of the Begum's Forces in September 1781?

A. At that Period I commanded a Detachment in the Mahratta Country of Two Regiments. The Begums had a Force in their own Diſtrict, but what Number they were, I cannot ſay.

Q. From the State of the Douab, what Effect would any Diſadvantage ſuffered in Benares have had upon that Diſtrict?

A. Upon the Diſtrict in the Douab?

Q. Yes, there was a Britiſh Force ſtationed there; would that Force in the Douab have been in Danger from a Failure at Benares?

A. Had a general Inſurrection taken place, it would have been, a very difficult Matter for the Engliſh Troops in the Douab to have extricated themſelves; but I only ſpeak of a general Inſurrection: The Troops then in the Douab could not have affected us very materially, becauſe there were very few Troops in the Douab, at that Period, but Engliſh Troops.

Q. Whether, at that Period of Time, the perſonal Safety of Mr. Haſtings was not conſidered of great Conſequence to the Protection of the Britiſh Government in India?

A. It undoubtedly was ſo much ſo, that when Major Lumſdaine came up to the Head of my Regiment on a March to Illihabad, and related the Circumſtances of ſeveral Detachments being cut off——

Q. What happened when Major Lumſdaine came to the Head of your Regiment?

A. He ſaid an Expreſs had arrived with Colonel Morgan, informing him ſeveral Detachments had been cut off. My Reply was, "If Mr. Haſtings is ſafe in Chunar, reſt aſſured he will extricate us out of our Difficulties; but, on the other Hand, if he is cut off, we ſhall very ſoon act the laſt tragick Scene, and neither you nor I ſhall live to tell the Story." Thoſe were my Sentiments of Mr. Haſtings at that critical Period. Major Lumſdaine is now in England.

Q. In what Eſtimation was Mr. Haſtings's Character in India, during the Time you reſided there?

A. He was eſteemed a Man of very great Abilities, and a Man of Humanity.

Q. Was he conſidered as a mercenary venal Man, and a corrupt Governor, or not? Had he any Drawbacks upon that Character? Was he conſidered in a bad Light?

A. Before the Act paſſed for a Governor General and Supreme Council, the publick Papers, and all the Records of the India Houſe, ſpeak highly of him as a Governor.

Q. Do you mean that this was the Character he held in India, or do you only mean to refer to what has been written from India to England, for the Foundation of what you report of him?

A. His Character was univerſally reſpected as ſuch in India; thoſe Circumſtances were related and publiſhed in England; and I mentioned the Records, not as referring your Lordſhips to them by any Means, but that all the World might ſee his general Character upon thoſe Records.

Q. (*by a Lord.*) Do you mean to ſpeak of the Character which he held in India down to 1773, or during the whole Time?

A. I ſpeak of the Period down to 1773, as a remarkable Inſtance of his Attention to the Intereſts of the Eaſt India Company; after that Period there were ſome little Diſputes in the Council, and various were the Opinions reſpecting them; and I can only give Matter of bare Opinion upon it.

Q. Then, generally, what was the Character which Mr. Haſtings bore during the whole Time of your being in India, in Point of Integrity, in Point of Humanity, and Attention to the Company's Affairs, throughout the Whole of his Government, and throughout all India, from the Beginning to the End, as well after 1773, as before?

A. I have anſwered that Queſtion, I think, very fully; however, I will be more explicit: I looked upon Mr. Haſtings as a very great Man, and as a Man of Integrity and Humanity.—Many Inſtances of his Generoſity have been related; none of them come within my Knowledge, as I never had the Pleaſure of his Acquaintance until I returned to England.

Q. I think you ſaid you never ſaw Mr. Haſtings till you came to England?

A. At St. Helena was the firſt Introduction, to the beſt of my Recollection, that I had to him, when Mr. H[illegible] came to pay a Viſit to Colonel Muir, who lived in the ſame Quarters that I did.

Q. [illegible]t were delivered by you to Mr. Middleton, can you recollect w[illegible]e Letters in the Perſian Language, or Copies of them; do

[illegible] by the Begum from Colonel Hannay and Captain Gor- original Letters, and had the Signatures of Colonel [illegible]he Initials of their Names.

Q. Were

Q. Were the Initials only put to thoſe Letters?
A. That was all. Never more than juſt the Initials were put to any Letter.

Q. What became of thoſe Letters?
A. Whether I returned them to the Begum again, or have them in my Poſſeſſion now, I really cannot ſay exactly.

Q. Did you receive them back from Mr. Middleton?
A. I did.

Q. How ſoon after you had delivered them?
A. A few Hours, probably a Day; I will not charge my Memory exactly with it; I think it was in the Courſe of the ſame Day. I rather believe I gave them to him in the Morning, and received them back again the ſame Day; but I will not be poſitive.

Q. But whether thoſe Letters are deſtroyed, or whether they are in your preſent Cuſtody, is more than you know?
A. I do not recollect at preſent, whether I did deliver them back to the Begum, or whether I have them now among my Perſian Papers.

Q. Whether your Letter to Mr. Middleton, of the 19th of October 1782 (*a*), was anſwered by his Succeſſor in Office, Mr. Briſtow?
A. I do not know whether it was anſwered by Mr. Middleton or Mr. Briſtow, I cannot charge my Memory with it; but it was about the Period of Mr. Middleton's Departure.

Then the laſt Queſtion and Anſwer were read by the Clerk.

The Managers for the Commons ſtated, that the Words "incloſing thoſe Letters," which were added by the Counſel in putting the Queſtion, after the Date of the Letter, were omitted.

The ſame were ordered to be inſerted, viz.

"Q. Whether the Letter of the 19th of October 1782, incloſing thoſe Letters, was anſwered by his Succeſſor in Office, Mr. Briſtow?
A. I do not know, whether it was anſwered by Mr. Middleton or Mr. Briſtow: I cannot charge my Memory with it, but it was about the Period of Mr. Middleton's Departure."

Q. Do you remember the Letter from the Begum to Mr. Middleton?
A. If the Honourable Managers will permit me to refreſh my Memory by looking into their Book, I will give a very direct Anſwer to it.

Then a Book was ſhewn to the Witneſs, and he proceeded as follows:

A. Mr. Middleton never did reply to that Letter of the 19th October 1782. It is a very ſingular Letter, and if it was read, your Lordſhips would perceive that it was ſo ſtrongly impreſſed upon me, that I could not make a Miſtake. Mr. Middleton never did anſwer it.

Q. That is a Letter, of the 19th October, from you to Mr. Middleton?
A. Yes.

The Managers for the Commons ſtated, that the Queſtion put by the Counſel had led the Witneſs to a Contradiction; for he had juſt before ſaid he gave the Papers perſonally to Mr. Middleton, and the Counſel's Queſtion made it that they were encloſed.

The Witneſs ſaid,

The Letter of the 19th October, which I encloſed to Mr. Middleton, was from the Bhow Begum; for I particularly mention "The encloſed Letter from the Bow Begum is in Reply to yours "which I delivered on my Return to this Place." (*b*) The Papers were delivered to Mr. Middleton before that Period, when I was at Lucknow.

Q. Which Papers?
A. The Letter from Colonel Hannay, and Captain Gordon's Letter to [illegible] I delivered to Mr. Middleton when I was at Lucknow.

Q. At what Time was that? How long before that Letter?
A. It muſt be about the Beginning of October; but I can[illegible]

Q. Can you aſcertain the Time before the 19th of Octob[illegible] now?
A. I cannot exactly ſay, but I believe it was in [illegible] dle of October.

(*a*) Vide ſupra, Page 749, & infra, Page[illegible]

Q. (*by the Managers.*) There is a Letter in that Book, now before you, of the 20th September, from a Place called Deriabad, (*a*) when you was upon your Road from Fyzabad to Lucknow, that Place is about Half Way between Fyzabad and Lucknow: Recollect only the Time it took you in travelling from Deriabad to Lucknow?

A. The Honourable Manager is exactly right; for here is my Letter dated the 20th of September 1782, at Deriabad: I felt myself some Time past indisposed with a feverish Complaint, and I was obliged to go on account of my Health: I had mistaken the Time, it was not in October, but in September.

Q. Now you find you were at Deriabad upon the 20th of September, Can you now bring it to your Memory at what Time you arrived at Lucknow?

A. I fancy I arrived the Third Day after that; I think I only made Four Days March of it.

Q. Was that the Time at which you delivered those Papers?

A. I believe it was when I was at Lucknow at that Time.

Q. Whether you received a Letter, that is entered in the Book before you, from Mr. Bristow, addressed to you, bearing Date the 4th November 1782, in which there is this Acknowledgement: "I received your Letters of the 12th, 19th, 27th, and 30th, Ultimo?" (*b*)

A. I dare say I did, I have not a Doubt about it; and I fancy I could produce the original Letter.

Q. Did you know the Court of Sujah ul Dowlah?

A. I did.

Q. Did you know the Court of Asoph ul Dowlah?

A. Yes.

Q. Was there a material Alteration in the Countenance, Figure, and Establishment of his Court, from that kept by his Father?

A. The present Nabob never did, from the Beginning, keep such a splendid Court as his Father did.

Q. Not from the Beginning?

A. Not from the Beginning. I was at Fyzabad when he was First placed upon the Musnud.

Q. From the Time of his being placed on the Musnud, subsequent to that Time, did you observe any material Alteration made in the Figure of Asoph ul Dowlah's Court?

A. None of any Consequence.

Q. (*by the Managers.*) You have stated, that you are not sure whether you returned those Letters, or not, to the Begum, or whether you have them now in your Possession: Recollect, whether you did not afterwards, in November, convey other Copies of those Letters from the Begum to Mr. Bristow——of Colonel Hannay's and Captain Gordon's Letters?

A. I did.

Q. Then she must have had them returned, to have sent Copies of them to Mr. Bristow?

A. I gave him Copies of them.

Q. (*by a Lord.*) Was it not about the Fourth of November that you gave Copies of them to Mr. Bristow?

The Managers for the Commons stated, it was about the End of October.

Q. Then those Letters must have been in your Possession at that Time?

A. They were; but whether on my taking Leave of the Court, and quitting that Station, which I did in December following, I delivered them to the Begum, or kept them, I cannot say; but I am sure I could not have delivered them to the Begum till then, if I did at that Period.

Q. Do you say, you sent the Copies to Mr. Bristow?

A. If I recollect right, I enclosed one of the Begum's Letters along with those; they were under Enclosures from me.

Q. In a Letter from the Bow Begum to Mr. Bristow, which appears to have covered Copies of those Letters from her; She says, "the Letters of Thanks I have received from both those Gen- [illegible] lonel Hannay and Captain Gordon], are still in my Possession; Copies of which, I gave [illegible] Major Gilpin, to be delivered to Mr. Middleton;" and then with that Letter she [illegible] Mr. Bristow?

[illegible] ust have happened on her Part, for I had the Originals, and I do not despair [illegible] Return into the Country.—She did not deliver Copies, but Originals; I [illegible] rsian Papers yet.—As a Proof that they were Originals, I pointed [illegible] Middleton, when he suspected that they were not Originals: that [illegible] lonel Hannay and Captain Gordon to them.

(*b*) Vide infra, Page 897.

Q. Do

Q. Do you mean, that you told Mr. Middleton ſo at the Time you delivered the Letters to him?
A. Yes; that I pointed that Circumſtance out to Mr. Middleton. If I can find them, I will tranſmit them with the greateſt Pleaſure; I do not wiſh to withhold any Secret whatever.

Q. Did you cauſe thoſe Letters to be tranſlated at Fyzabad, after your Return from Mr. Middleton from Lucknow?
A. I think I had a Tranſlation of them before I went there.

Q. Where, and by what Means, did you get that Tranſlation?
A. By the Aſſiſtance of my Commandant, who acted in the Capacity of Moonſhy, and the Aſſiſtance of Captain Hyde, who was a Captain in my Regiment.

Q. Where was it done?
A. At Fyzabad.

Q. Can you recollect, whether it was after your Return from Lucknow, or previouſly to your going to Lucknow, that you cauſed thoſe Letters to be tranſlated?
A. I have already ſaid, that to the beſt of my Recollection it was before I went to Lucknow.

Q. Did you omit communicating to Mr. Middleton the Circumſtance of your having Tranſlations of the Letters, or did you ſhew thoſe Tranſlations to Mr. Middleton?
A. I think I gave him the Originals; and whether I mentioned any Thing of my having the Tranſlations, I do not recollect; but it was unneceſſary to Mr. Middleton, as he underſtood the Perſian Language ſo well.

Q. Did Mr. Middleton read the Perſian Originals in your Preſence, and appear to underſtand them?
A. He read a Part of them, if not the Whole;—I cannot anſwer to the Whole: But he requeſted that I would leave them with him, that he might peruſe them at Leiſure.

Q. When was Shumſhire Cawn releaſed?
A. He was releaſed at the Time that Bahar and Jewar Ali Khan were.

Q. Do you remember what Time that was?
A. December the 4th, 1782. I enlarged them by Order of his Excellency the Nabob. I have a Memorandum of it here, which I took to refreſh my Memory.

The Witneſs read the ſame, as follows:

"4th Dec. 1782, Camp at Fyzabad.

"His Excellency the Nabob Vizier having been pleaſed to grant the Enlargement of the Priſoners Bahar Ally Cawn and Jewar Ally Cawn, from their long Confinement, the Guards over the [illegible] ſic in Orig. ſaid Men is † in Conſequence withdrawn; and Liberty granted them to paſs and repaſs all Guards and Centinels, in common with other People."

Q. And Shumſhire Khan was enlarged at the ſame Time?
A. Yes, he was releaſed at the ſame Time.

Q. By whom was the Order conveyed to you?
A. It was conveyed to me by Mr. Briſtow, for the Enlargement of Bahar and Jewar Ali Khan.

Q. But, for the Enlargement of Shumſhire Khan, what Order had you?
A. I had none.

Q. Your Memorandum purports, that Bahar and Jewar Ali Khan were releaſed by Order of the Nabob, but mentions nothing of the Releaſe of Shumſhire Khan; upon what do you go in ſuppoſing that Shumſhire Khan was impriſoned down to the 4th of December?
A. When I received Orders to enlarge Bahar and Jewar Ali Khan, no Mention was made of Shumſhire Khan; I did not know what to do with him, but I ſpoke to Bahar and Jewar Ali Khan, and I aſked them whether they would be reſponſible for Shumſhire Khan if I ſhould do wrong in delivering him, ſo as to return him again into my Cuſtody to be a Priſoner, in caſe I ſhould be called to account; and, in conſequence of their Promiſe, I releaſed him, and he ſtands now in that very Predicament, and no Demand was ever made to me for Shumſhire Khan.

Q. Whether, while you had Bahar and Jewar Ali Khan and Shumſhire Khan in y[illegible] any Inquiry whatever was ſet on foot, in order to diſcover their ſuppoſed Tre[illegible] againſt the Nabob and the Engliſh?
A. I do not recollect that there was any publick Enquiry of that Kind.

Q. Was any Enquiry at all, that you remember, ſet on foot?
A. I do not recollect any thing more than Gentlemen by accident [illegible] was no Enquiry by Authority; Converſations might have paſſ[illegible]

Q. For what Purpoſe were Bahar and Jewar Ali Khan taken out of your Cuſtody, and ſent to Lucknow? And when were they ſo taken out?

The Witneſs read the following Memorandum:

" June 18th, ſent the Priſoners Jewar and Bahar Ali Khan to Lucknow, in Charge of Lieutenant Crow, with Two Companies of Sepoys."

Q. For what Purpoſe were they ſent to Lucknow?
A. It is impoſſible for me to ſay, for what Purpoſe; but I ſent them by Order of the Reſident.

Q. Did the Order from the Reſident convey any Thing more to you, than the mere Order for ſending them, or did it expreſs to you for what Purpoſe they were to be ſent?
A. I ſhould ſuppoſe for the Purpoſe of getting the Payment of the Balance from them.

Q. How do you collect that Senſe? Was it Part of the Order?
A. I only collect it from the general Senſe of Mr. Johnſon's Letter to me.

Q. Did not you learn from Mr. Johnſon's Letter—according to your Memory of that Letter now, that Severities had been threatened to be uſed to them in Lucknow, in order to get from them the Secret of the Place where the Treaſures were concealed at Fyzabad?
A. I do not know whether Mr. Johnſon did expreſs it in his Letter to me; I rather think he ſaid he had uſed Threats, but I do not recollect Severities being mentioned; but the Letter will ſhew it.

Q. Who commanded the Guard which eſcorted Bahar and Jewar Ally Cawn to Lucknow?
A. Lieutenant Crow.

Q. You ſay, in a Letter to Mr. Johnſon, of the 23d of July 1782, that " the Elder Begum appeared at one Time very anxious to begin an Engagement" (*a*):——Recollect, whether you did not underſtand that Threat to be with an Intention that ſhe herſelf might be deſtroyed,—and that you underſtood it to be her Determination to die in a rebellious Blaze (*b*).—Do you recollect that Paſſage?
A. I do recollect it, and I believe it would ſave a great Deal of Trouble if the Reſt of my Correſpondence upon that Subject was read; particularly my Letter in Anſwer to Mr. Johnſon's laſt Letter that was read Yeſterday: Mr. Johnſon's Letter implied ſome little Miſconduct on my Part, which I anſwered fully; and I feel myſelf hurt at its not being read, becauſe my Character as a Soldier is at Stake.

Read, the following Letter from Major Gilpin to Mr. Johnſon, dated the 2d Auguſt 1782, from the printed Minutes of the Evidence taken before a Committee of the whole Houſe of Commons, on Thurſday the 18th May 1786, already delivered in, beginning at Page 83 of the ſame.

" To Richard Johnſon Eſquire, Reſident at Lucknow.

" Dear Sir,

" I have to acknowledge the Receipt of your Letter of the 31ſt ult°, which makes it requiſite for me to point out clearly to you the Impracticability of maintaining the Poſt at the Elder Begum's Gate, in the Mode you preſcribe in your Letter of the 22d ult°.

" The Elder Begum had aſſembled not leſs than Four thouſand Men in the City, beſides the whole Country were in Motion to her Aſſiſtance. With ſuch a Force, was it poſſible for the Detachment to maintain the Poſt at the Gate, if they were not ſuffered to enter the ſame when fired upon, and put the Whole to Death?

" Can it be ſuppoſed that Officers and Men will ſtand tamely in a Street when fired on, through Windows, Doors, Loopholes, &c. &c. which ſurround and command them, without exerting every Ability to deſtroy that ſecreted Enemy? And can it alſo be ſuppoſed that, when fired upon, they will ſhamefully retreat, under the ſcandalous Appellation of cowardly Fellows? Epithets that might have been too juſtly applied by the Begum's People, had the Attempt been made, and God forbid that I ſhall ever live to hear ſo ſcandalous a Reflection thrown out on the Corps I command.—I have had the Honour to ſerve my King and Country near Twenty-four Years, with the conſtant [illegible] Superiors; and can it be ſuppoſed, after ſuch a Length of Service, that I [illegible]w away a Reputation I have ſo long laboured to obtain? which muſt [illegible]ſe in the Eyes of every military Man, had the Detachment been ordered [illegible]tant Poſt when fired upon, as you preſcribe?—What did the Governor [illegible] Ramnagur, by the late Captain Mayaffre? And did not the whole [illegible] Scott, and Symes, for not putting Cheyt Sing to inſtant [illegible] Guard.

(*b*) Vide infra, ibid.

" Theſe were Circumſtances that required due Attention on my Part; and I do aſſure you, it did not appear poſſible to have continued that Guard an Hour longer, without an Attack from them; the Conſequence of which would, in all Probability, have been a more ſerious Rebellion than that of Cheyt Sing's was, yet not, in any reſpect, fatal to this Detachment, for the Orders I had given almoſt enſured Succeſs, in caſe of an Attack.

" Situation and Circumſtances (viſible to every Perſon here) made it requiſite to withdraw the Guard the Moment the Begum requeſted it, unleſs my Orders for extirpating every Man in Arms had been clear and poſitive, and which, from the Tenour of your Letter, I never could expect to receive, as you ſay, " it is not worth proceeding to Extremities with ſo reſpectable a Family, &c." I am very happy, the Thirty-third Regiment was here, and particularly ſo, that Major Buchannan commanded it, whoſe Length of Service and ſteady Conduct has met with general Applauſe—His Sentiments and mine coincided in every Particular.

" I have now to anſwer your Letter of the 31ſt, wherein you diſapprove of my withdrawing the Guard; a Circumſtance that you imagine has cauſed the total Failure of this Buſineſs.—In Reply to which, give me Leave to obſerve, that the only Mode of paying the Balance, without going to Extremities, is, in my humble Opinion, by that Agreement to all Appearance made permanent.

" She has promiſed, in the moſt ſacred Manner, to deliver up the Caſh, Jewels, &c. that ſhe has in her Poſſeſſion, to make good the ſame.

" Should ſhe not ſtand to this Agreement, my Promiſe to her, of viſiting the Elder Begum, is void, and ſhe of courſe becomes a State Priſoner in the Fort, where every Reſtraint that may be judged requiſite can be more eaſily enforced, than if ſhe was at the Elder Begum's in the City. I have now to requeſt, ſince you have diſapproved of the Agreement, which appeared to me the moſt eligible and ſecure, that you will draw up the Terms which are to be accepted of, and every Exertion in my Power ſhall be made to obtain them.

" I am, Dear Sir,
Your obedient humble Servant,
(Signed) M. Gilpin."

" Fyzabad,
2d Auguſt 1782.

To ſhew the Situation the Begums were in at this Time, and the Probability there was of an Engagement,

Read, *the following* Letters from the ſame Book, beginning at Page 80 of the ſame.

" To Richard Johnſon Eſquire, Reſident at the Court at Lucknow.

" Sir,

" The Situation of Affairs all Day Yeſterday was very precarious, ſo much ſo, that by the Encreaſe of Troops in the City, I every Moment expected the ſerious Scene to open.

" The Bhow Begum ſent no Meſſage all the Day, which confirmed me in Opinion ſhe meant an immediate Attack; and in conſequence I was prepared in every reſpect, and gave the neceſſary Inſtructions to every Poſt and Party.

" Early in the Evening, the Bhow Begum ſent to requeſt I would ſend my Commandant to her, which I readily complied with, but told him to tell her, " That aſſembling ſuch a numerous Force in the Town was needleſs; that I had given Orders, in caſe of a ſingle Shot from them, to enter the Palace, and put to Death every Man in Arms; that the Banaraſs Maſſacre was ſtill freſh in the Minds of the Officers and Sepoys; and that, notwithſtanding the Orders I had given to ſpare Women and Children, I could not expect much Delicacy would be obſerved, if once they entered; I therefore recommended her to conſider the critical Situation, and come to Terms."

" She gave me every Aſſurance that ſhe wiſhed for Peace and Quietneſs, but inſinuated as much, as that ſhe was not abſolutely Miſtreſs of her own Conduct; and I have Reaſon to ſuppoſe the Elder Begum was very deſirous and anxious to begin an Engagement; nay, I am convinced, by various corroborating Circumſtances, that ſhe was reſolutely bent, and firmly reſolved, to die as ſhe had lived, in a rebellious Blaze.

" However, about 12 o'Clock at Night the Bhow Begum agreed to give up every Thing ſhe had, to be diſpoſed of for the Payment of the Balance due, but that ſhe could not get at the Jewels and other valuable Goods, until the Arrival of the Priſoners Bahar and Jewa[illegible]n; that as ſoon as they arrived the Things ſhould be depoſited.

" It is alſo, I believe, certain, that ſhe never will agree to any other T[illegible] under the Roof of the Elder Begum.

" Finding it was abſolutely impoſſible to keep much longer from [illegible] not having Orders to ſtorm the Palace, or diſarm the Troops (which, [illegible] a bloody Scene) I accepted thoſe Terms, and withdrew the [illegible] and I now wait your Inſtructions and Reply to my Letter [illegible]

" I have further to add, that ſhe has confirmed the A[illegible] me, be the Conſequences what they will, ſhe has no [illegible] ſhe expreſſes much Satisfaction that this diſagreeabl[illegible]

" The Twenty-third Regiment has by this been detained only One Day, as Major Buchannan could not poſſibly have marched before the Twenty-fourth. He will now march from this the 25th.

" I have the Honour to be, Sir,
Your moſt obedient humble Servant,
Martin Gilpin,
Major Commanding."

" Fyzabad,
23d July 1782.

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I am honoured with your Letter of the 23d, and am much concerned that you did not wait the Anſwer to your Firſt Letter, before you withdrew the Reſtraint placed upon the Begum, with ſo ſucceſsful an Appearance. You promiſed in your Letter of the 21ſt to hold what you had got, and to remain as you were; had you abided by this Engagement, you would have found, by my ſubſequent private Letter, written the Day after my Reply to your Expreſs of the 21ſt, the certain Succeſs of the Plan which now is thrown further back than ever; for, if I underſtand your laſt, an † unlimited Amount are to be delivered up, with a poſitive Agreement to releaſe the Priſoners; whereas, before this laſt Effort on our Side (in which I do not learn that the ſame Station was occupied that was poſſeſſed on the firſt Reſtraint upon the Palace Gate) the elder Begum offered One Lack in Part Payment, for only transferring the Priſoners; and afterwards, upon ſurrounding the Palace, the Bow Begum offered One Half of the Money down, and the Remainder in Goods (much preferable to the preſent Offer) which was refuſed, becauſe ſhe would give no Security for the Performance of her Offer, to obtain which you placed the Second Reſtraint; and have now withdrawn them upon leſs favourable Terms, and ‡ what we poſſeſſed in Hand from the Reſult of the Firſt Reſtraint, and this at a Time when you had double the Force, One Half of which might have ſcoured the Town of any armed Force it could contain, while the Remainder could ſcarcely fail of maintaining its Poſt uninterruptedly round the Palace. From the Steps of Compliance immediately adopted by the Begum in her Overtures to the Shroffs at Lucknow, it is ſelf-evident (in Addition to the Conviction of her Ability, and other Arguments hazarded in my laſt) that ſhe could never mean to attempt an Attack upon your Poſt.—But, dropping all uſeleſs Diſcuſſion upon what is paſt, and of courſe remedileſs, I muſt apply + to her Offer through you, upon which you have now withdrawn the Guard; it is this, That if I refuſed the former advantageous Tenders for Want of ſome Security, I ſtill *more poſitively reject this, which is neither ſo advantageous*, and equally unaccompanied with the leaſt Shadow of Security, and burthened with a Demand of releaſing her Agents as ſoon as what ſhe may chuſe to depoſit ſhall be declared. This, as the Begum has dropped her Firſt Terms, I now refuſe to agree to, as I ought to have done then, when propoſed as a Condition upon the Payment: I always ſaid, that if through their Means the Company's Balance could be liquidated, it would give me an Opening to recommend them to Lenity, and an eaſy Diſcharge from the Crimes they ſtand accuſed of; but to ſtipulate ſuch an Exchange, would be indecent on my Behalf, a Circumſtance I had not before ſufficiently weighed, but which I have now an Opportunity to eſtabliſh. Upon the Whole, therefore, the following is the only Line for you to follow now: Firſt, to prohibit throughout the Town any armed Men appearing in the Streets; and after due Notice given, to order conſtant Patroles to execute it, and in caſe the Regulation is not ſpeedily and ſtrictly obeyed, to make Example of the Firſt Offenders; next to eſtabliſh ſuch Poſts, at ſuch Diſtances as you ſhall deem practicable and tenable to a Certainty, round the Palace, through which whoever ſhall pleaſe may paſs, from the Palace, but none return within it. Thus gradually, Once more, for a Third Time, re-eſtabliſhing the Firſt Reſtraint, and remaining in that Poſition, whatever may be the Reſult of it (unleſs that if § immediate full Payment or full Security, without Reſtrictions and Stipulations on our Side) until the Guards ſhall be ordered off. My Motive for ſubſcribing this ſlow and quiet Method is founded merely upon your Information of the violent Intention of the Elder Begum, which ſhe will have no Opportunity of carrying far by this Mode, as the Forces within the Palace cannot, or ought not, to be conſiderable, for the Reaſons aſſigned in my laſt, founded upon the neceſſary Precautions, that I cannot doubt has been obſerved, to prevent armed Men going into the Palace.

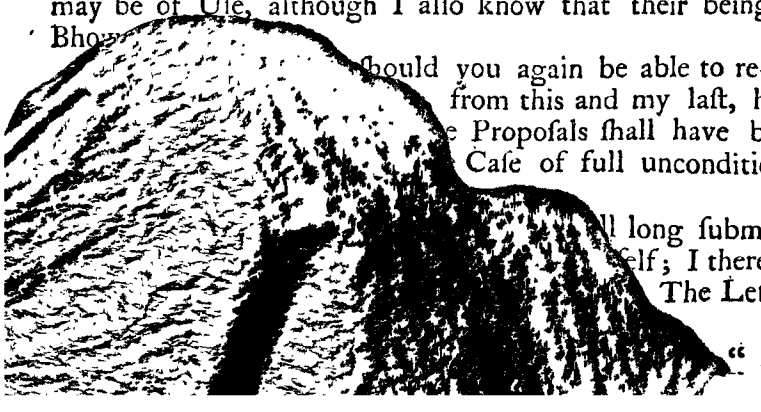
† Sic in Orig.

‡ Sic in Orig.

+ Sic in Orig.

§ Sic in Orig.

" I ſhall have no Objection to transfer the Confinement of the Priſoners to your Camp at Fyzabad, when the Begum may return to any Terms that can be accepted, as I know their Preſence there may be of Uſe, although I alſo know that their being here is great Subject of Alarm to the Bho[illegible]



ſhould you again be able to re-eſtabliſh yourſelf, as I hope, without any from this and my laſt, how much I wiſh to avoid, that you upon e Propoſals ſhall have been referred, and Time given for an An- Caſe of full unconditional Submiſſion and Compliance from the

ll long ſubmit to troubleſome Reſtraint, poſſeſſing the lf; I therefore place great Reliance upon the Effect The Letter muſt depend upon Circumſtances, and

" I have, &c.
(Signed) R. Johnſon."

" To Nath[l] Middleton, Eſquire.

" Sir,

" I have the Pleaſure to encloſe you Ten Bills of Exchange on the Bankers at Lucknow, amounting to Fifty thouſand Rupees, on account of the Balance due from the Bhow Begum, which I received from the Priſoners Bahar and Jewar Ally Cawn.

" Hoolaſs Roy is of Opinion that the Goods which I have received from the Bhow Begum are well worth Four Lacks of Rupees, even allowing that they ſell greatly under their Value.

" The Goods were to have left Fyzabad To-day, but owing to a continued Rain I have delayed them until Choppers can be made for the Hackeries.

" I have had a Paper War with the Elder Begum theſe Two Days; ſhe did promiſe to lend One Lack to be paid to me, how far I ſhall be able to ſucceed I cannot yet ſay; however, I am hopeful, even without her Aſſiſtance, that I ſhall get all together between Five and Six Lacks on Account of this Balance.

" I am under Promiſe to the Begum of viſiting Lucknow with ſuch Propoſals, that will, I hope, enſure the ſmall Balance that may remain, although the Elder Begum ſhould not aſſiſt.

" I have the Honour to be, Sir,

" Fyzabad,
† 5th Septem[r] 1782.

Your moſt obedient humble Servant,
(Signed) Martin Gilpin,
Major Commanding."

† Sic in Orig.

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I am honoured with your Letter of the 15th. As it is not poſſible I can liſten to any Terms for the Begums before the final Diſcharge of their conditional Agreement for 55 Lacks, your coming here upon ſuch an Agency can only be Loſs of Time in completing the Recovery of the Balance of 6,55,000, for which your Regiment was ſent to Fyzabad; I muſt therefore deſire you will leave no Efforts, gentle or harſh, unattempted to complete this before you move from Fyzabad, and I am very anxious that this ſhould be as ſoon as poſſible, as I want to employ your Regiment upon other emergent Service, now ſuffering by every Delay.

" Lucknow,
17th September 1782.

I have, &c.
(Signed) N. Middleton."

" Nathaniel Middleton Eſquire, Reſident at the Court at Lucknow.

" Sir,

" Imperfect Health for ſome Time paſt, with a Feveriſh Complaint, and violent Head Aches, encreaſing rather too faſt, made it abſolutely neceſſary for me to quit the unwholeſome Air of Fyzabad many Days ſooner than I either intended or was prepared for, as a Change of Air and Medical Aſſiſtance was now become neceſſary.

" I had the Pleaſure to receive your Letter of the 17th, ſince my Arrival here, the Dauk having miſſed me on the Road. I have to aſſure you there will be no Time loſt by my Journey to Lucknow, for I fancy the Balance that may remain, after the Sales of the Effects, will not be a Subject Matter to detain the Regiment from the active Service you propoſe for it; and my Preſence, on this Occaſion, is alſo requiſite at Lucknow, to provide the neceſſary Stores for a Campaign. My Stay at Lucknow will be very ſhort, if my Health will admit of an immediate Return; it is a Place I have neither Inclination to viſit, or Buſineſs to delay me long at.

" I have the Honour to be, Sir,

" Deriabad,
Septem[r] 20th 1782.

Your moſt obedient humble Servant,
(Signed) Martin Gilpin.

" N. B. Lieut. Brown, with the Effects, marched from Fyzabad the 17th, and I hope he will arrive with you by the 20th or 21ſt."

" To Nathaniel Middleton, Eſq. Reſident at the Court at Lucknow.

" Sir,

" The encloſed Letter from the Bhow Begum, is in Reply to yours which I [illegible] on my Return to this Place.

" She obſerves to me, that her Situation is truly pitiable, her Eſta[illegible] ranſacked, her Cojahs Priſoners, and her Servants deſerting daily fro[illegible] That ſhe has ſolicited the Loan of Money to ſatisfy the Demands [illegible] ſon that ſhe imagined would or could aſſiſt her with any: But th[illegible] Adverſity. She did hope the Wardrobe that was ſent [illegible] One Half of the Company's Demands on her: But ev[illegible] ful Experience) loſes its Value the Moment it is kno[illegible]

" That ſhe has now ſolicited the Loan of Caſh [illegible] Application, ſhe has no Hopes of even ‡ borr[illegible]

‡ Sic in Orig.

" She thanks you kindly for your Friendſhip towards her; and hopes you will lay the Copies of thoſe original Letters, which I gave you to read, before the Honourable the Governor General and Supreme Council, to convince them that the Information they received reſpecting any rebellious Principles on her Part, at the Time of Cheyt Sing's, was wicked, and without Foundation.

" The above, Sir, is the Subſtance of Converſation, on her Part, to the urging Arguments which I have uſed to obtain the Balance.

" I have the Honour to be,
Sir,
Your moſt obedient humble Servant,
(Signed) Martin Gilpin,
Major Commanding."

" Camp at Fyzabad,
19th October 1782.

Read, the following Extract from Book D, already delivered in, beginning at Page 120 of the ſame.

" To Major Gilpin.

" Dear Sir, Lucknow, 22d October 1782.

" Encloſed I have ſent the Nabob's Bond to the Begum, as it may probably afford ſome Satisfaction to deliver it yourſelf. The Multiplicity of Buſineſs I have had upon my Hands for this ſome Time paſt, muſt plead my Apology for not having done it before.

" I am, with Eſteem,
" Dear Sir,
Your very obedient humble Servant,
(Signed) Nathaniel Middleton."

" N. B. The above mentioned Bond of the Nabob Vizier's to the Begum for R^{s} 82,000, was diſpatched by the Dauk from Lucknow to Major Martin Gilpin at Fyzabad, on the 22d October 1782, by

(Signed) J. C. M."

Read, the following Letters from the Minutes of the Evidence before a Committee of the Whole Houſe of Commons, already delivered in, beginning at Page 90 of the ſame.

" To John Briſtow Eſquire, *Reſident at the Court at Lucknow.*

" Sir,

" Laſt Night, about Eight o'Clock, the Women in the Khourd Mahl Zenana, under the Charge of Letaffut Ally Cawn, aſſembled on the Tops of the Buildings, crying in a moſt lamentable Manner for Food; that for the laſt Four Days they had got but a very ſcanty Allowance, and that Yeſterday they had got none.

" The melancholy Cries of Famine are more eaſily imagined than deſcribed, and from their Repreſentations, I fear the Nabob's Agents for that Buſineſs are very inattentive; I therefore think it requiſite to make you acquainted with the Circumſtance, that his Excellency the Nabob may cauſe his Agents to be more circumſpect in their Conduct towards theſe poor unhappy Women.

" I have the Honour to be,
Sir,
Your moſt obed^{t} humble Servt,
(Signed) Martin Gilpin,
Major Comm^{s}."

" Fyzabad,
30th Octob^{r} 1782.

" To Major Martin Gilpin, Commanding at Fyzabad.

" Sir,

" I have received your Letters of the 12th, 19th, 27th, and 30th ultimo.

" I communicated the Contents of that of the 30th to the Miniſter, who promiſed me to iſſue Orders for the Payment of a Sum of Money to relieve the Diſtreſs of the Khourd Mahl. I ſhall alſo forward a Bill for Ten Thouſand Rupees to you, in the Courſe of Three or Four Days; and if, in the mean Time, you may find Means to ſupply to the Amount of that Sum, I will become perſonally reſponſible to you for the Re-payment.

" I [illegible] the Begum's Letter, when I may be able to ſpeak with any Certainty on the Po[illegible]ch ſhe writes me. I hope to * this alſo, in the Courſe of Three or Four [illegible] make my Reſpects, and inform her of my Intentions.

* Sic in Orig

[illegible] conformable to any Inſtructions occaſionally tranſmitted to you by [illegible].

" I have the Honour to be,
Sir,
Your's, &c.
(Signed) John Briſtow,
Reſ^{t} at the Vizier's Court."

" To John Briſtow Eſquire, Reſident at the Court at Lucknow.

" Sir,

" The repeated Cries of the Women in the Khourd Mahl Zenana, for Subſiſtence, has been truly melancholy.

" They beg moſt piteouſly for Liberty, that they may earn their daily Bread by laborious Servitude, or to be relieved from their Miſery by immediate Death.

" In conſequence of their unhappy Situation, I have this Day taken the Liberty of drawing on you in favour of Ramnarain, at Ten Days Sight, for Twenty Son Kerah Rupees Ten thouſand, which I have paid to Cojah Latafat Ally Cawn, under whoſe Charge that Zenana is.

" I have the Honour to be,
Sir,

" Camp at Fyzabad,
15 Novemr 1782.

Your moſt obedt humble Servt,
(Signed) Martin Gilpin,
Major Commands."

" To John Briſtow Eſquire, Reſident at the Court at Lucknow.

" Sir,

" Before my Return to Fyzabad, the Bhow Begum had replied to his Excellency the Nabob Vizier's Letter; the Contents of which I imagine he would communicate to you.

" The elder Begum I underſtand (from Report only) never intends to put Pen to Paper to him again.

" What Probability there may now be of ever receiving the Balance from the Begum, you, from her Letter to the Nabob, will be beſt able to judge; but I am clearly of Opinion, that whilſt her Eunuchs, Behar and Jewar Ally Cawn, remain Priſoners, and the Battalions continue here with any Reſtraint on her, that ſhe will never agree to pay a further Sum on the Score required; and indeed it appears to me only recoverable by moderate Means. If the Priſoners were releaſed, and the Troops withdrawn from her, I fancy ſhe would, in a ſhort Period, enter into a Negociation with you; and on certain Terms be induced to pay the Sum wanted.

" Encloſed I ſend you the Copy of a Letter which I received this Morning from her. The Circumſtances of her Servants quitting her for Want of Subſiſtence, is very certain and public; and whether real or fictitious, I will not take upon me to determine; but I judge it neceſſary to make you acquainted with the Circumſtance.

" I have the Honour to be, &c.

" Fyzabad,
18 Novr 1782.

(Signed) Martin Gilpin,
Major Commands."

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I do myſelf the Pleaſure to encloſe you a Duplicature of a Letter that will be delivered to you by Affrien Ally Cawn. As it may be ſome Days before he will arrive at Fyzabad, and the Enlargement of the Begums Eunuchs has been reſolved upon, it appears neceſſary that it ſhould be delayed; you will therefore immediately releaſe Behar Ally Cawn and Jewar Ally Cawn, for whom, and the Begum, I ſhall ſend you Letters by To-morrow Night's Dawk.

" You will, in the mean Time, continue your Solicitation for the Balance due to the Vizier; and ſhould you receive any Money on this Account, tranſmit it under a proper Eſcort to Lucknow.

" I am happy to inform you, that the Begum is highly pleaſed with your Treatment of herſelf and Eunuchs; and I ſhall not fail, in my Letter, to expreſs the Senſe I entertain of your Conduct.

" Lucknow,
the 2d December 1782.

(Signed) John Briſtow."

" Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I received your Letters of the 15th and 18th Ultimo.

" The Vizier having thought proper to expreſs his Pleaſure, that the Begum ſhould be relieved from the Reſtraints under which her Servants have been laid, I notify the ſame to you, and inform you, there is no further Occaſion for the Services of the Troops under [illegible] and ſtationed at Fyzabad.

" Previous to your Departure, you will deliver over Charge [illegible] Auffreen Ally Cawn, or ſuch Perſon as he may appoint to rec[illegible] alſo explain any other Matters neceſſary for his Information. Y[illegible] nuchs, Bahar Ally Cawn and Jewar Ally Cawn, from Confine[illegible] tillery, Ammunition, and Stores under your Charge, [illegible] gul, the Aumil of Gonda, or the Agent or Agents [illegible]

" You will oblige me by the Communication of any Particulars relative to the Tranſactions at Fyzabad, which you think will enable the Vizier to effect the Recovery of the Balance ſtill remaining due on account of the Begum's Engagement.

" Permit me to convey to you his Excellency's Satisfaction at your Conduct in the Diſcharge of your Duty at Fyzabad.

(Signed) John Briſtow."

" Lucknow,
the 2d Decemr 1782.

" To John Briſtow Eſquire, Reſident at the Court at Lucknow.

" Sir,

" I have to acknowledge the Receipt of your Letter of the 2d inſtant, and in conſequence immediately enlarged the Priſoners Behar Ally Cawn and Jewar Ally Cawn from their Confinement—a Circumſtance that gave the Begums and the City of Fyzabad in general the greateſt Satisfaction.

" In Tears of Joy, Behar Ally Cawn and Jewar Ally Cawn expreſſed their ſincere Acknowledgments to the Governor General, his Excellency the Nabob Vizier, and to you, Sir, for reſtoring them to that invaluable Bleſſing, Liberty, for which they would ever retain the moſt grateful Remembrance; and at their Requeſt I tranſmit you the incloſed Letters.

" I have the Honour to be,
Sir,
Your moſt obedient humble Servant,

" Fyzabad, (Signed) Martin Gilpin,
5 December 1782. Major Commandg."

" Copy of a Letter from Major Gilpin to Mr. Briſtow.

" Dear Sir,

" I wiſh you had been preſent at the Enlargement of the Priſoners. The quivering Lips, with the Tears of Joy ſtealing down the poor Men's Cheeks, was a Scene truly affecting; and, as Triſtram Shandy juſtly obſerves, fit only for a Sentimental Traveller.

" If the Prayers of theſe poor Men will avail, you will, at the laſt Trump, be tranſlated to the happieſt Regions in Heaven.

" I am, &c.

" Fyzabad, (Signed) M. Gilpin."
5 December 1782.

The Managers for the Commons acquainted the Houſe, that they would next read the Paper of Intelligence, which had been authenticated by Mr. Holt, in his Evidence at the Bar, (*a*) relative to the miſerable Situation of thoſe Women, which they meant to bring home to Mr. Haſtings.

Read, from Book 73, already delivered in, the following Extract of a Conſultation of the 17th February 1784, beginning at Page 28 of the ſame Book.

" Fort William, the 17th February 1784.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler, and
John Stables, } Eſquires.
Mr. Macpherſon abſent from the Preſidency for the Benefit of his Health.

" The following Letter and its Encloſures were received from Mr. Briſtow, on the 8th inſtant, and circulated.

" Honourable Sir, and Gentlemen,

" I have the Honour to forward, for your further Information, the Encloſure N° 3. It contains a Relation of the Hardſhips endured by the Ladies of the late Vizier's Zenana.

" I have the Honour, &c.

" Lucknow, (Signed) John Briſtow,
29th January 1784. Reſt at the Vizier's Court."

" Tranſlation of a Paper of Intelligence from Fyzabad.

dants and Servants, were ſtill as clamorous as laſt Night; Lataffit the monſtrated with them on the Impropriety of their Conduct, at the in a few Days all their Allowances would be paid; and ſhould

(*a*) ge 397 and 399.

that

that not be the Caſe, he wou'd advance them Ten Days Subſiſtence, upon Condition that they returned to their Habitations. None of them, however, conſented to his Propoſal, but were ſtill intent upon making their Eſcape through the Bazar, and in conſequence formed themſelves in the following Order,—the Children in the Front, behind them the Ladies of the Seraglio, and behind them again their Attendants; but their Intentions were fruſtrated by the Oppoſition which they met with from Lataffit's Sepoys.

" The next Day Lataffit went Twice to the Women, and uſed his Endeavours to make them return into the Zenana, promiſing to advance them 10,000 Rupees, which, upon the Money being paid down, they agreed to comply with, but Night coming on, nothing tranſpired.

" On the Day following, their Clamours were more violent than uſual, Lataffit went to confer with them on the Buſineſs of yeſterday, offering the ſame Terms; depending upon the Fidelity of his Promiſes, they conſented to return to their Apartments, which they accordingly did, except Two or Three of the Ladies, and moſt of their Attendants. Lataffit then went to Hoſhmund Ally Cawn to conſult with him about what Means they ſhould take; they came to a Reſolution of driving them in by Force, and gave Orders to their Sepoys to beat any one of the Women who ſhould attempt to move forward. The Sepoys accordingly aſſembled, and each one being provided with a Bludgeon, they drove them, by Dint of Beating, into the Zenana; the Women, ſeeing the Treachery of Latafit, proceeded to throw Stones and Bricks at the Sepoys, and again attempted to get out; but, finding that impoſſible, from the Gates being ſhut, they kept up a continual Diſcharge till about Twelve o'Clock, when, finding their Situation deſperate, they returned into the Rung Mahl, and forced their Way from thence into the Palace, and diſperſed themſelves about the Houſe and Gardens. After this, they were deſirous of getting into the Begum's Apartments; but ſhe, being apprized of their Intentions, ordered the Doors to be ſhut. In the mean Time, Latafit Hoſhmund Ally Cawn poſted Juſtices to ſecure the Gates of the Leſſer Mahl. During the Whole of this Conflict, the Ladies and Women remained expoſed to the View of the Sepoys. The Begum then ſent for Latafit and Hoſhmund Ally Cawn, whom ſhe ſeverely reprimanded, and inſiſted upon knowing the Cauſe of this infamous Behaviour. They pleaded, in their Defence, the Impoſſibility of helping it, as the Treatment the Women had met with, had only been conformable to his Excellency the Vizier's Orders. The Begum alledged, that even admitting that the Nabob had given theſe Orders, they were by no Means authorized in this Manner to diſgrace the Family of Sujah Dowlah, and ſhould they not receive their Allowances for a Day or Two, it could be of no great moment; what had paſſed was now at an End, but that the Vizier ſhould certainly be acquainted with the Whole of the Affair, and that whatever he directed, ſhe ſhould implicitly comply with. The Begum then ſent for Two of the Children who were wounded in the Affray of laſt Night, and after endeavouring to ſooth them, ſhe ſent again to Latafit and Hoſmund Ally Cawn, and in the Preſence of the Children, again expreſſed her Diſapprobation of their Conduct, and the Improbability of Aſoph ul Dowlah's ſuffering the Ladies and Children of Sujah Dowlah to be diſgraced, by being expoſed to the View of the Sepoys; upon which Latafit produced the Letter from the Nabob, repreſenting, that he was amenable only to the Order of his Excellency, and that whatever he ordered, it was his Duty to obey, and that had the Ladies thought proper to have retired quietly into their Apartments, he would not have uſed the Means he had taken to compel them. The Begum again obſerved, that what had paſſed was now over. She then gave the Children 400 Rupees, and diſmiſſed them, and ſent Word by Sumrud and the other Eunuchs, that if the Ladies would peaceably retire to their Apartments, Latafit would ſupply them with 3 or 4,000 Rupees for their preſent Expences, and recommended to them not to incur any further Diſgrace; and that if they did not think proper to act agreeable to her Directions, they would do wrong. The Ladies followed her Advice, and about 10 at Night went back into the Zenana. The next Morning the Begum waited upon the Mother of Sujah Dowlah, and related to her all the Circumſtances of the Diſturbance. The Mother of Sujah Dowlah returned for Anſwer, that after there being no Accounts kept by Crores of Revenue, ſhe was not ſurpriſed that the Family of Sujah Dowlah, in their Endeavours to procure Subſiſtence, ſhould be obliged to expoſe themſelves to the meaneſt of People. After bewailing their Misfortunes, and ſhedding many Tears, the Begum took her leave and returned home.

" A true Tranſlation,

(Signed) Robt Holt,

Aff^t to the Reſident." (a)

Read, from Book 85, already delivered in, the following P[illegible] Mr. Briſtow to the Board, in a Conſultation of the 3d Marc[illegible] 253 of the ſame Book.

(a) Vide Appendix, N^o [illegible]

" Fort William, 3d March 1783.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
General Sir Eyre Coote, Commander in Chief,
Edward Wheler,
John Macpherſon, } Eſquires.
John Stables,

" Major Gilpin, with One Battalion, has been ſtationed at Fyzabad for the Purpoſe of ſupporting the Vizier's Claim againſt the Begum, for the Recovery of his Patrimony, depoſited in her Charge.—I applied to the Vizier immediately upon my Arrival, for his Conſent to withdraw this Battalion, ſeeing little Prabability * that violent Meaſures would effect my further Payments.—I propoſed to him to truſt to her Generoſity for the Liquidation of the Balance, which was about Five Lacks.—The Vizier would not at that Time acquieſce in my Propoſal; but, determined on making One more Effort, previous to leaving it in her Diſcretion to prolong the Term of Payment; his Excellency accordingly addreſſed a Letter to the Begum, conveying his Senſe of her evading the Performance of her Engagements in very harſh Terms, and threatening, in caſe of Non-compliance with them, that her Eunuchs ſhould continue in Confinement, and Means be taken to recover the Money from her, as the Company would never be ſatisfied without it.—The Begum, in Reply, repreſented her Inability, having paid away all the Treaſure ever entruſted to her Charge by the late Vizier; but if the Eunuchs were enlarged, ſhe might, with their Aſſiſtance, be enabled to raiſe the Money upon Credit.—On his Excellency's receiving this Anſwer, I renewed my Solicitations for Permiſſion to withdraw the Battalion, reſting the Matter upon the Begum's Promiſe of diſcharging the Balance when her Eunuchs ſhould be releaſed.—I was induced to this Meaſure by the Repreſentations of Major Gilpin, who had been employed in the Buſineſs from the Commencement. His Opinion, aſſerting that every practicable coercive Exertion had been uſed, I beg leave to ſubmit to you in the encloſed Copy of his Letter to me on the Subject.—The Vizier at Length acquieſced in the Battalion's being withdrawn, for which I was the more anxious, as your Inſtructions to me diſapprove of Detachments, and the State of Affairs requires the Appearance of a formidable Force on the Frontiers.

" Lucknow,
the 1ſt December 1782.

(Signed at the End) " John Briſtow,
Reſident at the Vizier's Court." (*a*)

* Sic in Orig.

To prove that Mr. Haſtings withheld the Communications contained in the above Letter, for Three Months, from the Board,

Read, the following Extract of a Conſultation of the 12th of May 1783, from Book 80, already delivered in, beginning at Page 658 of the ſame.

" Fort William, the 12th May 1783.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler,
John Macpherſon, } Eſquires.

" The Governor General lays before the Board, the following Letters from Mr. Briſtow to him, dated 12th December, and Incloſures 30th December, 4th and 31ſt of March, and 8th April.

" The Battalion at Fyzabad is recalled; and my Letter to the Board of the 1ſt inſtant has explained my Conduct to the Begum. The Letter I addreſſed her, a Tranſlation of which I beg leave to encloſe (N° 2), was with a View of convincing her that you readily aſſented to her being freed from the Reſtraints which had been impoſed upon her, and that your Acquieſcence in her Sufferings was a Meaſure of Neceſſity, to which you were forced by her extraordinary Conduct. I wiſhed to make it appear this was a Matter on which you directed me to conſult the Vizier's Pleaſure, that it might be known you were the Spring from whence ſhe was reſtored to her Dignity and Conſequence (*b*).

(Signed at the End)
" John Briſtow,
Reſident at the Vizier's Court."

he following Extract from the Appendix to the ſame Conſultation, be- of the ſame Book.

Appendix to Conſultation, 12th May 1783.

ſlation of Letter from Mr. Briſtow to the Begum.

your Letters.—Whereas the Proſperity and Welfare of the the Governor General, I have, in obedience to my In-

(*b*) Vide Appendix, N° LVIII.

ſtructions,

ſtructions, repreſented to his Excellency, that I ſhall conform to his Pleaſure in whatever he might think proper to direct. I am happy to convey his Commands, that Major Gilpin ſhall, on the Arrival of Affrien Ally Cawn, march from Fyzabad, and immediately releaſe Bahar Ally Cawn and Soakur Ally Cawn. This Meaſure affords me the greater Pleaſure, as I am perſuaded, from the kind Expreſſions in your Letters, of the Regard you entertain for the Vizier, being dearer to you than Life, that you will in future conſult and cheriſh his Intereſts.

" It is probable the Vizier would have continued the Reſtraints upon your Excellency, if the Governor General had not, out of Reſpect for the Ties which bind you, and from a natural Benevolence of Diſpoſition, given his Aſſent. The ſtrict Alliance ſubſiſting between the Governor General and the Vizier will ever render an Union of Councils and Meaſures the Line of Conduct of both Governments. And it is a moſt pleaſing Circumſtance to me, to convey the Governor General's Approbation of the Reſtoration of your Excellency to the Dignity and Conſequence to which your high Rank and Birth juſtly entitle you.

" I beg leave to return my Thanks for the Senſe you expreſs of the becoming Conduct of Major Gilpin in the Execution of his Duty.

" Permit me to remind your Excellency, that there is ſtill a Balance of above Five Lacs due, on account of your Engagements; and as you promiſed, immediately on the Enlargement of your Eunuchs, to pay that Sum, I hope you will excuſe my Solicitations and Aſſurances, that by a Compliance you will render a Service both to the Vizier and the Company, whoſe Affairs at preſent require the Aſſiſtance of every pecuniary Aid.

(A true Tranſlation.)

(A true Copy.) (Signed) Rob[t] Gregory,
" E. Hay, Aſſiſtant at the Vizier's Court." (*a*)
" Act[g] Sec[y] to the Secret Dep[t].

The Managers for the Commons deſired Mr. Hudſon might be called in.

Then Mr. ROBERT HUDSON was called in, and aſked;

Q. When did theſe Two Letters firſt appear upon the Conſultations? Have you looked over the Conſultations before the 3d of March, to ſee whether it has ever appeared before?

A. I believe, the firſt Time it appears is upon the 3d March 1783. The Letter juſt now read is on the Conſultation of the 12th May 1783.

Q. You have read over the Conſultations before that Time?

A. I have.

Q. Therefore you ſpeak negatively, that before that Time it does not appear upon the Conſultations?

A. It does not.

Q. *(Croſs examined.)* Whether the Letters are uſually entered upon the Conſultations immediately upon the Receipt of them, or whether they are not entered till ſome Conſideration is taken upon them? Do you know, what the Courſe is of doing Buſineſs at Calcutta, as to entering Letters?

A. I cannot ſpeak with any Certainty, as to the Proceedings at Calcutta; I can only obſerve how they are entered upon the Proceedings, they vary often, appear ſome Time after the Date of them.

Q. Therefore all you ſpeak to, is the Fact of their Appearance upon the Proceedings; but the Courſe of Buſineſs you know nothing of?

A. No.

Q. Does it appear to you, from obſerving the Courſe of Buſineſs as done at Calcutta, that Letters frequently appear to have been received, and to have been in the Poſſeſſion of the Government, before they are entered upon the Conſultation Minutes?

A. Very frequently.

Q. At all Times, not particularly during Mr. Haſtings's Government?

A. I ſpeak in general.

Q. Whether the Letter containing the Incloſures in queſtion, is addreſſed to the Governor General and Council, or to Mr. Haſtings perſonally.

A. The laſt Letter read begins, Honourable Sir.

Q. Is that the Style of Addreſs where a Letter is addreſſed to Mr. Haſtings addreſſed to him as Governor General?

A. As Governor General.

Q. It was not with reſpect to that Letter, but the Letter containing of the Diſtreſſes of the Khourd Mhal?

(*a*) Vide Appendix, N°. LVIII,

A. The Letter tranſmitting the Paper about the Khourd Mhal, from Mr. Briſtow, begins, " Honourable Sir, and Gentlemen;" the Date of Mr. Briſtow's Letter is the 29th of January 1784.

The Managers for the Commons ſtated, that as the Counſel for the Defendant had endeavoured to eſtabliſh, that it was not uſual to enter Letters upon a Conſultation, till ſome Act was done upon thoſe Letters; they would now ſhew, that in this Caſe the Act was done relating to the Subject Matter of this Letter, while the Letter was withheld; and that it was produced after the Orders were given.

Read, from Book 80, already delivered in, the following Extract of a Conſultation of the 12th of May 1783, beginning at Page 634 of the ſame.

" The Governor General lays before the Board the following Letters from Mr. Briſtow to him, dated the 12th December, and Incloſures 30th December, 4th and 31 March, and 8th April."

The Managers for the Commons acquainted the Houſe, they would next prove, that in conſequence of Mr. Haſtings' having withheld from the Board his Knowledge that the Begum's Miniſters were releaſed, and alſo the Communication from Mr. Briſtow, of the Letter he had written to the Begum, informing her of it, the Board were induced to write to the Reſident, as if ignorant of thoſe Circumſtances.

Read, the following Extract of a Conſultation of the 3d March 1783, from Book 85, already delivered in, beginning at Page 304 of the ſame.

" Fort William, 3d March 1783.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident; Secret Dep. 3d March.
General Sir Eyre Coote, Commander in Chief;
Edward Wheler,
John Macpherſon, } Eſquires.
John Stables,

" Agreed, That the following Letter be written to Mr. Briſtow.

" To Mr. John Briſtow.

" Sir,

" Having received, and taken into our Conſideration, the following Letters from you, we ſhall now tranſmit you our Sentiments and Orders upon them.

23d November,	2d January,
1ſt December,	13th D°
11th D°	24th D°
19th D° Two Letters,	29th D°
20th D°	30th D°.
30th D°	

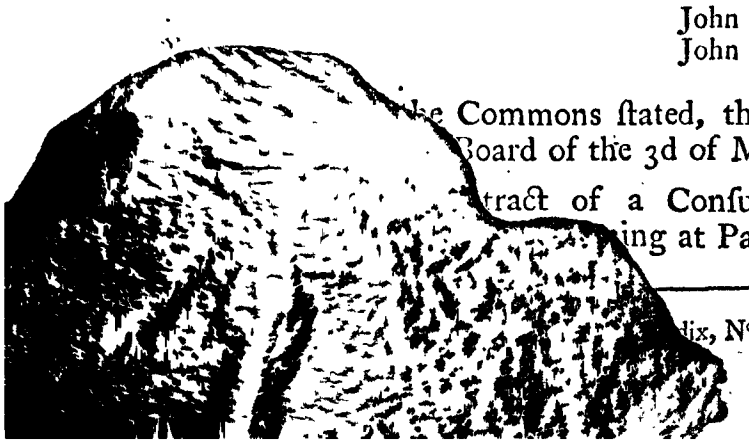
" We deſire you will inform us of any, and what, Means have been taken for recovering the Balance due from the Begum at Fyzabad; and, if neceſſary, that you recommend it to the Vizir to enforce the moſt effectual Means for that Purpoſe.

" Fort William, 3d March 1783.

" We are, &c.

" (Signed) Warren Haſtings,
(Signed) Eyre Coote,
(Signed) Edward Wheler,
(Signed) John Macpherſon,
(Signed) John Stables."

" Warren Haſtings,
Edward Wheler,
John Macpherſon,
John Stables (*a*).



...e Commons ſtated, they would next read Mr. Briſtow's An... Board of the 3d of March 1783.

...tract of a Conſultation of the 23d June 1783, from ...ing at Page 550 of the ſame Book.

...dix, N° LXXXVI.

" Fort

" Fort-William, 23d June 1783.

" At a Council; Preſent,

Edward Wheler, } Eſquires.
John Macpherſon, }

The Governor General indiſpoſed on the River.
Mr. Stables abſent.

" Letter from Mr. Briſtow to the Board, dated Lucknow, 31ſt March 1783.

" Honourable Sir, and Sirs,

" I have delayed replying to your Commands of the 3d inſtant, regarding the Means taken to realize the Balance due from the Begum, in Hopes that I might tranſmit you favourable Accounts of it. Before the Recall of Major Gilpin, ſhe promiſed Payment; and ſince that Time, ſhe has uniformly profeſſed an Inability, unleſs her Jaghyre be relinquiſhed. In my Addreſs of the 1ſt December, I repreſented to your Honourable Board, that every practicable coercive Exertion had been uſed in Support of my Repreſentations. I ſubmitted to your Conſideration, the Copy of Major Gilpin's Letter to me on the Subject. The Begum complains, that having no Penſion or Jaghire, ſhe now ſubſiſts her Family and herſelf with the greateſt Difficulty; and ſhould the Vizier perſiſt in withholding every Allowance from her, ſhe will be diſtreſſed for the Neceſſaries of Life.

" The above is the Subſtance of the Begum's Reaſons for her Refuſal, as they have been communicated to me both verbally and by Letter. I am of Opinion, however, from every Information I can obtain, that ſhe has the Means of ſatisfying the Honourable Company's Demands,—but ſeeing little Proſpect of a Jaghyre or Penſion, ſhe truſts to her Hoards for Support, and would ſuffer the ſevereſt Reſtraint ſooner than comply. Previous to my Arrival, her Eunuchs were kept for many Months in Confinement, and led out to corporal Puniſhment. Guards were alſo put upon her Houſe to prevent the Treaſure from being carried away. Theſe Meaſures failed, and you have before you the Opinions given by Major Gilpin, the Officer who commanded the Troops, that " all that Force could do has been done." Mr. Middleton thought it very practicable to recover the Money from the Begum, by continuing the Reſtraints; and though I differ from that Gentleman in my Sentiments, yet I think it my Duty to tranſmit the Extract of his Letter to me upon the Subject, that every Information in my Power may be preſented for your Deciſion. The Articles mentioned by Mr. Middleton I received on taking Charge of the Office. They conſiſted of Eight Elephants, and various Sorts of Goods, valued by the Begum at Three Lacks. For the Goods, the Merchants of Lucknow offered me Eighty-one thouſand Rupees. A great Part were damaged, owing to the long Time they had been kept in the Godouns at Fyzabad. I refuſed to ſell them, until I obtained the Begum's Conſent, which ſhe granted me, after a Correſpondence of Three Months; in the Courſe of which I repeatedly ſolicited her to receive them back. They were in ſo bad a State, that I was obliged to give the Purchaſer Six Months Credit. This Bargain I even concluded with Difficulty. There was no Mode of diſpoſing of the Elephants, except to the Nabob, who bought them at Fifteen hundred Rupees an Elephant.

" I have, in compliance with your Orders, applied to his Excellency to call upon the Begum to pay the Balance of the Account without further Delay, and inform her that no Excuſes can be admitted, ſhe will certainly evade, and probably refuſe. If you ultimately determine on enforcing the Payment, I ſhall be under the Neceſſity of applying to Colonel Morgan for Military Aid.

" Lucknow,
31ſt March 1783.

I have the Honour to be, &c.
(Signed) John Briſtow,
Reſident at the Vizier's Court."

Then MAJOR GILPIN was again called in.

Q. Whether you ever ſaw or heard of the Treaty between Mr. Middleton and the Elder Begum, by which a Proviſion for the Women and Children in the Khourd Mhal, was guaranteed by the Eaſt India Company?

A. I never ſaw any ſuch Treaty, nor did I ever hear of it, until I heard of it in this House.

Q. Have you any Knowledge of the Aſſignment of the Forty thouſand Rupees, for the Maintenance of the Khourd Mhal, or have you it only from Hearſay?

A. I had it from Lataffit Ali Khan, who received it from the Foujdar of Sultanpore.

Q. Do you know, whether that Diſtrict of Sultanpore had been ſeized [illegible] Middleton?

A. I do not.

Q. What Circumſtances led you to make this Diſtinction betw[illegible] to correct your Evidence of Yeſterday, in that Reſpect?

A. An Error in the Anſwer, nothing elſe; juſt a [illegible] fallen into the ſame Error this Moment.

Q. What did you conceive the Age of the Elder Begum to be?
A. I do not know, but I ſuppoſe ſhe was about Eighty.

Q. Had you an Opportunity, while you was at Fyzabad, of knowing the general Character of theſe Women, or of obſerving Inſtances of their Diſaffection, or Attachment to the Britiſh Government?
A. By the Converſation, that I have had with the Natives of that Place only.

Q. From thoſe Converſations, what is your Opinion with reſpect to the Conduct and Character of the Bow Begum, and of her Diſpoſition with regard to the Engliſh Government?
A. I had a ſtrong Suppoſition, from the Papers produced to me, the Letters of Colonel Hannay and Captain Gordon, that from theſe Circumſtances ſhe appeared innocent: It was upon thoſe Letters that I grounded my Sentiments of her Innocence.

Q. Do you not, from all the Circumſtances you adverted to, at the Time, in forming your Judgement, and according to your preſent Belief, entirely acquit the Bow Begum of any Diſaffection to our Government?
A. It is impoſſible for me to aſcertain that, upon my Oath; I gave my Opinion in the Houſe of Commons, that I acquitted her from thoſe Circumſtances; thoſe were the Grounds upon which I formed my Ideas; and your Lordſhips will be beſt able to judge, whether I am right or not.

Q. But from your Converſation with the Natives, and others, what Judgement did you form?
A. The Natives at Fyzabad were all in her Intereſt; and, from the general Converſations I had with them, they declared ſhe was innocent: I could not confute it.

Then the following Queſtion and Anſwer were read to the Witneſs from his Evidence in the Houſe of Commons, before a Committee of the whole Houſe there.

" Q. Had you any Opportunity of knowing the Characters of the Begums, and whether they were diſaffected to our Government?
" A. I had a very good Opportunity of knowing, from the Circumſtance of my having commanded ſo long there. The elder Begum, it was generally underſtood, and I have Reaſon to believe, was diſaffected to our Government; and my Sentiments of her Conduct ſtand recorded in my Correſpondence to the Court of Lucknow to that Effect: But with reſpect to the Bow Begum, I acquit her entirely of any Diſaffection to our Government, ſo far as comes to my Knowledge. Appearances were for ſome Time againſt her; but on cool deliberate Enquiry, I found there was no Grounds, for ſuppoſing her guilty of any rebellious Principles, at the Time of Cheit Sing's Rebellion."

Then the following Queſtion was put to the Witneſs:

Q. Whether that, according to your Belief, is not your preſent Opinion?
A. I think I have anſwered that very fully; that it was upon thoſe very Principles that I did form an Opinion of her Innocence; how far they are juſtifiable or right, I will not take upon me to ſay upon Oath; there was no one Circumſtance that came to my Knowledge, during my Reſidence at Fyzabad, or my Reſidence in India, that I would wiſh to withhold from your Lordſhips.

Q. You ſtate here upon cool, deliberate Enquiry; what was that cool, deliberate Enquiry?
A. That cool, deliberate Enquiry, was the Converſations I had with the Miniſters and the People of Fyzabad, and the Letters from herſelf, expreſſing her Innocence; and it appeared to me from thoſe Letters, that ſhe really was our Friend and Ally.

Q. You have ſtated, that you conceived the Engliſh had no Right or Authority whatever to interfere or meddle in any Reſpect with the Khourd Mhal; whether you do not know, that it was by Orders from the Britiſh Government, that the Khourd Mhal was ſurrounded by Soldiers, and that the Women were confined or ſearched as they came out of it?
A. I beg to know what Time is alluded to; whether during my Command, or not?

Q. [illegible] your Command?
[illegible] left Fyzabad, I cannot aſcertain. I only ſpeak to Circumſtances while I
[illegible]d ſtationed in your Time that was ſtationed in Captain Jaques's
[illegible] was a Matter that happened after I left that Country.
[illegible]d round the Khourd Mahl, were not placed under the
[illegible] gave Orders to the Sepoys.

Q. The Khourd Mhal was within the ſame Circle of the Garden as the Zenana?
A. Yes; it was.

Q. Much Pains have been taken to draw an Anſwer from you, which is ſuppoſed to countenance the Belief, that the Engliſh Government never interfered with reſpect to the Khourd Mahl?
A. I drew that Concluſion from the Nabob's Letter to me, who was very angry with my interfering at all.

Q. That was for relieving their Neceſſities?
A. Yes.

Q. To whom did you tranſmit the Complaints of the diſtreſſed Situation of the Women in the Khourd Mahl?
A. To Mr. Briſtow, the Reſident at the Court at Lucknow.

Q. Did not you draw upon the Britiſh Reſident for Money?
A. I did; and Yeſterday delivered in the Receipts.

Q. Deſcribe the Situation in which the Khourd Mahl and the Zenana were?
A. The Khourd Mahl was on one Side of a very ſpacious Garden, and the Begum's Palace was on the other, at a conſiderable Diſtance; I cannot ſay exactly how wide it was, but there was no kind of Connection whatever between the Two.

Q. Was there any Reſtraint put upon the Khourd Mahl peculiarly?
A. None by me; in conſequence of what Captain Jaques had done, in ſearching the Doolies as they came out, I continued that in like Manner; but I never knew any Thing that was found in any one of the Doolies.

Q. But there was a Guard ſurrounded the Khourd Mahl, and ſearched every Body that came out?
A. The Guard had nothing to do with the ſearching the Women that came out of it; there was a Woman appropriated for that Service diſtinctly; the Guards that were round the Khourd Mahl, were round the whole Palace, the whole Fort, and the whole City; nay, I had ſome ſmall Guards extended as far as Sujah ul Dowlah's Burying Place, and ſome few Miles out of the Town; ſo that, in fact, the whole City was ſurrounded by the Britiſh Troops.

Q. *(by a Lord.)* Could the Guards have been placed round the Zenana, ſo as to effect a Reſtraint upon the Palace, *without alſo making a Conſtraint* upon the Khourd Mahl?
A. As well as I can recollect, the Orders given to the Centinels were, to prevent any Men from having any Intercourſe with them, as is uſual in that Country to do where Women are kept; I believe that was the Tenor of the Orders; it was not to have any Reſtraint upon the Ladies at all.

Q. Whether it would be poſſible, by that Guard, to conſtrain the one without conſtraining the other?
A. Is it meant the Guard over the Begum's Palace?

Q. Yes.
A. That was within the City of Fyzabad, and the Khourd Mahl is within the Citadel.

Q. The Zenana I take to be within the ſame Diſtrict as the Khourd Mahl?
A. The ſame, only there is a wide Garden between them; that is all.

Q. Whether it would have been poſſible to have eſtabliſhed a Guard upon the Zenana, which would not have operated as a Conſtraint upon the Khourd Mahl alſo?
A. The Palace of Fyzabad, which I ſurrounded, is a Fort within itſelf, within that, is the Zenana; I was within the Palace with the main Body of the Troops; the Elder Begum's Palace is without that, it is in the City, more properly ſpeaking, at ſome Diſtance from the Gates; I ſuppoſe near a Quarter of a Mile from the Khourd Mahl and Zenana.

Q. Did you place Guards at the Gates of the Elder Begum's Palace?
A. Yes.

Q. Did not the Elder Begum threaten to deſtroy herſelf, if any Offer was made to remove her by Force from Fyzabad?
A. She did.

Q. Was not the Object of that Threat to remove her, to induce her [illegible] the Treaſure was concealed?
A. I believe it was.

Q. Whether you were able to guard the Principal Zen[illegible] or the Reverſe?
A. There were Guards placed about the Whole.

Q. Whether you could guard one of thoſe Zenanas, without guarding the other? Whether the Guard that was placed upon the Zenana could have been kept there, ſo as to be a Conſtraint upon the Zenana, without being alſo a Conſtraint upon the Khourd Mahl?

A. I do not ſee there was any Conſtraint by our Guard, upon the one, more than upon the other.

Q. Whether there was a free Paſſage from the Zenana to the Khourd Mahl, and ſo *vice verſa* from the Khourd Mahl to the Zenana?

A. They might have paſſed freely.

Q. Whether by thoſe Means the Treaſure and valuable Effects might not, by ſuch a Communication, have paſſed from the Zenana without the Walls of the Palace, through the Khourd Mahl?

A. No; I do not believe they could without the Centinel ſeeing them.

Q. But the Treaſures being conveyed, ſuch as were portable, from the Zenana to the Khourd Mahl, might they not, if there had not been a Guard placed there, have been conveyed entirely out of the Palace and the Zenana?

A. They clearly might.

Q. (*from a Lord.*) You ſay, the Revenues of Sultanpore were never ſeized upon, that you know of; I ſuppoſe, therefore, they were left to the Management of the Foujdars? Can you aſſign any Reaſon why the Revenues were not tranſmitted as uſual from the Foujdar, for the Uſe of the Khourd Mahl?

A. I do not know.

Q. Do you know whether the Surplus of the Revenue ariſing from the Diſtrict of Sultanpore, beyond the 40,000 Rupees, annually allotted to the Khourd Mahl, was given to the Nabob, or what became of it?

A. I do not.

Q. If you had received Orders to guard ſtrictly the Zenana, and leave the Khourd Mahl free, whether you, as a profeſſional Man, think you could have executed thoſe Orders?

A. To keep it perfectly free?

Q. If you had received Orders to keep a ſtrict Guard upon the Zenana, and to leave the Khourd Mahl perfectly open and free, was it poſſible, in a Military Way, to execute thoſe Orders?

A. It would have been leaving one Side of the Palace without any Centinel or Guard at all.

Q. Would it have been conſiſtent with the Uſage of the Country, to have ſtationed Centinels between the Zenana and the Khourd Mahl, in the Garden?

A. I believe there always were Centinels poſted there, even in the Life-time of Sujah Dowlah.

Q. Then how am I to underſtand, that that would have left that Part of the Palace open, where the Treaſures were, upon the Suppoſition that the Treaſures were depoſited in what was called the Begum's Zenana: Why would not a Line of Centinels placed between the Zenana and Khourd Mahl in the Garden have effectually ſecured the Zenana, though that Part of the Palace called the Khourd Mahl ſhould have been left open and free?

A. The Garden was too ſpacious for it, and I judged it neceſſary to have Centinels on both Sides; the Guards were placed on both Sides of the Garden.

Q. Then you left Room for Intercourſe, for them to paſs and repaſs?

A. But they could not paſs between, but the Centinels muſt have ſeen them.

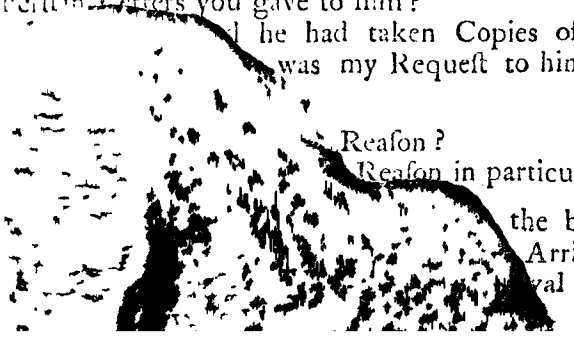
Q. Was there any Examination of thoſe that paſſed from the Begum's Zenana to the Khourd Mahl?

A. I do not believe there was any Body paſſed from the One to the other, while I was there.

Q. Were not the Centinels a Check both upon the Zenana and Khourd Mahl, ſo as to prevent their paſſing backwards and forwards to either?

A. No, by no Means.

Q. (*from a Lord.*) What Reaſons, if any, did Mr. Middleton aſſign for giving back thoſe Perſian Letters you gave to him?



l he had taken Copies of them, with a Deſign of tranſmitting them to the was my Requeſt to him; and he delivered back the Originals into my Poſ-

Reaſon?

Reaſon in particular.

the beſt of your Recollection, you communicated thoſe Arrival at Lucknow: Did you communicate thoſe Letval at Lucknow?

Q. There

Q. There ſeems to me to be a little Inaccuracy in the Evidence of the Witneſs, which I wiſh to ſtate, becauſe his general Evidence has been ſo ſingularly accurate: In the Letter of the 19th of October 1782, (*a*) to Mr. Middleton, if I take it right, you ſay to Mr. Middleton, "The Begums wiſh you to tranſmit thoſe Letters which I gave you to read:" Now it does ſeem, as it ſtrikes me from the general Tenor of that Letter, that thoſe Letters alluded to in your Letter, and which the Begums deſired Mr. Middleton to tranſmit, were then in Mr. Middleton's Poſſeſſion: Do you recollect that Paſſage in the Letter of the 19th of October?

A. I think the Paſſage ſays, The Begum hopes you have tranſmitted Copies of thoſe Letters to the Board.

Q. Had the Elder Begum any particular Communication with the Inhabitants of Fyzabad?

A. She might have had any Communication ſhe pleaſed; there was no Reſtraint upon that.

Q. Had ſhe, in Fact?

A. I dare ſay ſhe had; I cannot ſpeak poſitively to the Tranſaction.

Q. Then the Elder Begum's People were at Liberty to go into the Town, without Examination, whenever they pleaſed?

A. Except during the Time the Palace was ſurrounded, when the Younger Begum was in there, ſhe had no Reſtraint whatever put upon her.

Q. Could the Begums excite the People of the Town to rebel, while they were in Confinement?

A. By their Miniſters, their Agents, and Servants, they might.

Q. But were not the Agents alſo reſtrained from communicating with the Inhabitants?

A. They were paſſing and re-paſſing ſome Time before a cloſe Confinement came, which laſted only a few Hours.

Q. Could the Zenana be guarded without its being a Check alſo upon the Khourd Mhal?

A. I think it might, if the Guards were diſtinctly placed upon the Zenana, and had no Orders to guard the Khourd Mahl, becauſe they were ſeparate Buildings; I ſuppoſe there was a Space of from Fifty to an Hundred Yards between them.

Q. (*by Counſel*) Whether the Place where the Treaſures were ſuppoſed to be depoſited was not in the ſame Incloſure with the Khourd Mahl. Where were the Treaſures ſuppoſed to be depoſited?

A. They were ſuppoſed to be depoſited in the Begum's Zenana.

Q. Was that within the ſame Incloſure with the Khourd Mahl?

A. No. It was not in the ſame Incloſure, there was a Garden which ſeparated them.

Q. Whether any Guards were placed upon either of thoſe Places, except ſuch as were neceſſary for preventing any Treaſure being removed from the Zenana?

A. I cannot recollect, that there were any other Orders given.

Q. Whether the placing of the Guards, or any other Meaſures taken, while you were there, had any the ſmalleſt Effect in ſtraitening the free Acceſs of Proviſions, or did at all contribute to the Diſtreſs of the Khourd Mhal?

A. Not in the leaſt.

Q. You have been aſked your Opinion reſpecting the Younger Begum: What was the Diſpoſition of the Elder Begum? Whether a general Report did not prevail of the Diſaffection of both the Begums?

A. I have ſtated in my Correſpondence that there did.

Q. Did any Circumſtance come to your Knowledge afterwards, to induce you to diſbelieve that Report with reſpect to the Elder Begum?

A. It never removed my Sentiments of the Elder Begum at all, no Report that I ever heard.

Q. What were your Sentiments of the Elder Begum?

A. That ſhe was undoubtedly in Rebellion. They were my Sentiments of her, and always muſt remain ſo.

Q. Whether you did not know that there were Cauſes for the Diſſaffection of the Elder Begum to the Engliſh?

A. There were a Variety of Circumſtances mentioned, which I cannot aſcer[illegible] they were publick Reports of Circumſtances that gained Credit with the Engli[illegible] Tenor of her Conduct.

Q. What were they?

A. I cannot relate any particular Circumſtances, but I believe it m[illegible] Period of the War in 1764:—As far back as the Battle of B[illegible] ſome Warmth againſt the Engliſh.

(*a*) Vide ſupra, P. 74[illegible]

The Managers for the Commons ſtated, that the reigning Nabob being then at War with the Engliſh, his Mother ſhewed ſome Enmity to them alſo.

Then the Witneſs proceeded, as follows:

It was related, but how far it is to be depended upon, I will not ſay upon Oath, that when her Son took Leave of her, when going to march into that Country, ſhe begged he would take care to deſtroy the Engliſh as much as lay in his Power, reſerving Twelve Officers to carry her Palanquin.

Q. Whether that Jealouſy and Diſaffection to the Engliſh continued ſubſequent to the Year 1764?
A. I cannot ſpeak as to my own Knowledge.

Q. Do you know any Thing of her Diſaffection ſince the Year 1764?
A. Nothing in particular came to my Knowledge—it was from general Converſation.

Q. But an Opinion prevailed that ſhe remained with Diſpleaſure to the Engliſh?
A. It did.

Q. Whether the Younger Begum was not very much under the Influence of the Elder?
A. I believe I have expreſſed that in my Correſpondence, and anſwered it fully.

Q. I underſtood you to ſay, that originally the Report prevailed with reſpect to both the Begums, but that you was induced to alter that Opinion with reſpect to the Younger Begum, in conſequence of Mr. Gordon's Letters, and the Intelligence from ſome of her Miniſters and other Perſons.—Were not thoſe other Perſons in the Intereſt of the Younger Begum?
A. In general, the Town of Fyzabad were in her Intereſt.

Q. In what Senſe do you mean generally in her Intereſt:—Were the Perſons you converſed with merely thoſe who were in her Service and Houſhold, or the Inhabitants of Fyzabad in general?
A. Both; I held Converſations with both her own Body Servants, and the Inhabitants of the City.

Q. Whether you conſidered the Begum to be ſerious in the Threat you have mentioned, to deſtroy herſelf, or to hold it out as a Terror?
A. I thought it held out as a Terror.

Q. If they had attempted to remove her by Force?
A. I ſuppoſe the Queſtion has ariſen from what my Letter ſays.

Q. (*by Counſel.*) The Object of my Examination was ſingly reſpecting that Queſtion which was put by the Honourable Managers, as to the Threat of the Begum to deſtroy herſelf if ſhe was removed.—Do you ſuppoſe that if that Threat of removing her had been ſeriouſly carried into Execution, ſhe would have deſtroyed herſelf?
A. It is impoſſible for me to anſwer that Queſtion.

Q. Did you at that Time repreſent your Opinion that theſe were Words of courſe?
A. It is Matter of Opinion, and I do not chuſe to give a Matter of Opinion upon Oath.

Q. As to the Letters which are not produced, whether you were not ſubpœna'd by the Proſecutors, to give Evidence upon this Cauſe?
A. I was; I have the Summons in my Poſſeſſion.

Q. You were aſked reſpecting your having enlarged the Priſoners, by Order of the Nabob; whether you have the Orders that you iſſued upon that Occaſion?
A. I have a Memorandum of them here.

Q. State the Orders?

The Witneſs read the following Memorandum:

" Camp, Fyzabad, 4th December 1782.

" Detachment Morning Orders, by Major Gilpin.

" His Excellency the Nabob Vizier having been pleaſed to grant the Enlargement of the Priſon[illegible] Ally Cawn and Jewar Ally Cawn, from their long Confinement, the Guards over [illegible] Conſequence withdrawn, and Liberty granted them to paſs and repaſs all * Sic in Orig.
[illegible]n common with other People."

[illegible] I iſſued in conſequence.

[illegible] the Word "Rebellion," as applied to the Begums. In what Senſe [illegible] Acts of Rebellion, in the common Acceptation of the

Q. Againſt

Q. Againſt whom?

A. Againſt the Nabob's Government and the Britiſh Government jointly; but I beg to know the particular Time and Circumſtance the Queſtion alludes to?

Q. I underſtand you to have ſaid, you underſtood the Elder Begum was in a conſtant State of Rebellion. In what Senſe do you uſe the Word Rebellion; did you ſay the Elder Begum was in a conſtant State of Rebellion?

A. I always underſtood her to be diſaffected to the Engliſh Government; it might not be a proper Expreſſion of mine, the Word Rebellion.

Q. Do you know of any Act of Rebellion by the Elder Begum againſt the Vizier?

A. I cannot ſtate any.

Q. Do you know of any Act, which you call Rebellion, committed by the Elder Begum againſt the Company?

A. I do not know of any particular Circumſtance; only, it was generally ſuppoſed that ſhe was diſaffected to the Company.

Q. What Acts of Diſaffection or Hoſtility towards the Engliſh do you allude to, when you ſpeak of the Converſation of the World at the Time?

A. I have anſwered that Queſtion as fully as I can; that it was nothing but Converſation; that I knew of no particular Act or Deed myſelf.

Q. Were they the Acts of the Begum's, or of any of her Servants, which you heard in Converſation?

A. It was the general Converſation, that ſhe was diſaffected intirely to the Government; but as to Acts or Deeds beyond what I have already ſtated, I cannot ſpeak.

Q. I underſtood you to ſay, that the Centinels were not placed as a Reſtraint upon the Khourd Mahl; and I underſtood you likewiſe to ſay, that the Doolies coming out of the Khourd Mahl were conſtantly examined?

A. The Centinels did not interfere with the paſſing and repaſſing; the only Reſtraint by ſearching the Doolies was, by Women appointed for the Purpoſe of ſeeing whether there was any Treaſure: There was no Reſtraint upon their paſſing or repaſſing, but merely to prevent the Removal of any Goods.

Q. I underſtood you to ſay, that the Treaſures were ſuppoſed to be in the Zenana. How did it tend to ſecure the Treaſures in the Zenana, ſearching the Doolies that came out of the Khourd Mahl?

A. There was no particular Reaſon, it was not known to an abſolute Certainty, but it was thought neceſſary to take every Precaution we could. We underſtood the Treaſures were in the Begums Palace; but it was neceſſary to take every Precaution.

The Witneſs was directed to withdraw.

Then NATHANIEL MIDDLETON Eſquire was called in, and examined as follows:

Q. (*by a Lord.*) I wiſh you to give an Explanation of this Paſſage in your Letter to Mr. Haſtings of the 6th of December 1781, upon which you was examined when you were laſt before the Houſe, (*a*) namely, "the Reſumption of the Jaghires, will be followed by the Meaſure heretofore propoſed." (*b*) Do you remember that Paſſage in the Letter?

A. Yes, I do.

Q. Then the Queſtion is, At what Time, upon what Occaſion, in what Manner, by whom, and to whom, the Meaſure thus deſcribed by you was propoſed?

A. The Meaſure I referred to, was the Seizure of the Begums Treaſures.

Q. By whom propoſed?

A. It had at this Time been propoſed by the Nabob himſelf, but previouſly mentioned in a Communication that I had with Sir Elijah Impey at Lucknow.

Q. In your former Evidence, when aſked, whether the Meaſure was prior or ſubſequent to the Treaty of Chunar? you anſwered, long ſubſequent; and explained that to mean, ſeveral Months, or ſome Months. State, as correctly as you can, upon Memory, the preciſe Time [illegible] Meaſure, ſo deſcribed by you, was propoſed, by whom it was propoſed, and to whom propoſed? You ſay the Meaſure was propoſed by the Nabob?

A. Yes; but ſubſequent to the Converſation I had had with Sir Elijah [illegible] But I have likewiſe ſtated, and have a firm Belief, that that Meaſure was [illegible]

(*a*) Vide ſupra, Page 753. (*b*) Vide ſupra, p. 724.

Nabob long before Sir Elijah Impey's Arrival. That is my own Belief, though I cannot poſitively take upon me to ſay that that is the Fact?

Q. At what Time did you firſt communicate to Mr. Haſtings this Converſation you ſpoke of between the Nabob and you, when this had been the Subject of Converſation?

A. The Letter containing the firſt Communication to Mr. Haſtings upon that Subject from Lucknow is in Evidence before your Lordſhips (*a*). I do not recollect the Date, but I beg it may be referred to.

Q. Before the Letter is referred to, I would aſk whether we are to underſtand that the Meaſure which you deſcribe in the Letter of the 6th of December to be a Meaſure propoſed, be or be not the Meaſure mentioned in your Letter of the Second Day of the ſame Month? Do you remember the Meaſure that was mentioned in your Letter of the 2d of December?

A. Yes: I underſtand that to be the Meaſure of ſeizing the Begums Treaſures.

Q. Then I am to underſtand, that by the Meaſure heretofore propoſed, you underſtand that Meaſure mentioned for the Firſt Time in a Letter written Four Days preceding. Was that Letter of the Second of December the Firſt Time that you made any Communication to the Governor General of the Converſation you had had about ſeizing the Treaſures?

A. Undoubtedly, to the beſt of my Recollection and Belief, that was the firſt Time it was made either by me, or any Body with my Knowledge, from Lucknow.

Q. You ſay you perfectly recollect the Expreſſion in your Letter of the 6th of December, that the Reſumption of the Jaghires would be immediately followed by the Meaſure heretofore propoſed, and that "heretofore propoſed" is your Expreſſion by which you deſcribe to Mr. Haſtings a Meaſure which was mentioned to Mr. Haſtings, for the firſt Time, in a Letter, which, when the Second Letter was penned, Mr. Haſtings probably had not even then received? Whether you think yourſelf accurate and correct in ſtating the Meaſure mentioned in the Letter of the 6th of December to be the ſame Meaſure with that which you communicated in the preceding Letter of the 2d December? Do you, upon full Recollection, ſtate that to be the Caſe?

A. I refer the Expreſſion of "the Meaſure heretofore propoſed," generally to the Seizure of the Begums Treaſures; I cannot ſay whether I confined it ſolely to that Propoſal ſent to Mr. Haſtings, in the Letter dated the 2d of December, or whether I referred it to the Converſation I had with Sir Elijah Impey upon the Subject, but to the Meaſure moſt certainly of ſeizing the Treaſures.

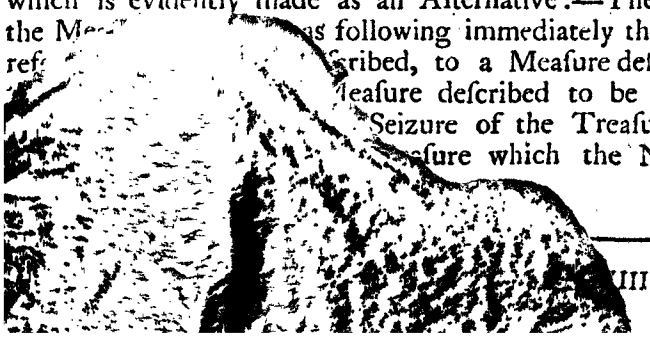
Q. Do you remember this Paſſage in your Letter of the 2d of December?

"I had Yeſterday the Honour of informing you of the Meſſage I ſent to the Nabob, through the Miniſter, reſpecting the Jaghires, to which his Excellency, this Morning, returned me a Reply, purporting, that, if the Meaſure propoſed was intended to procure the Payment of his Balance due to the Company, he could better and more expeditiouſly effect that Object, by taking from his Mother what ſhe is very able to ſpare, and what he has an undoubted Right, as he conceives, to exact from her. The preſent Debt to the Company, as he with Truth obſerves, is a great Part handed down from his Father; and the Funds from which he might have been enabled to liquidate it, it is notorious, were withheld from him by the Begum, on the late Nabob's Death.

"This, my dear Sir, is a flattering Propoſition, and as to the Point of Right, admitting it to be leſs clear and defined than the Nabob chuſes to conſider it, you may poſſibly be of Opinion that the Conduct of the Begums on the late Diſturbances at Benares, as ſet forth in the ſeveral Teſtimonies laid before you, has forfeited any Claim they might originally have had to the Protection and Mediation of the Company, and further that it may not be political or yet perfectly Safe to truſt them any longer with ſuch powerful Means of promoting an Oppoſition to our Intereſts."

"P. S. Whatever may be your Reſolution upon the Subject of this Letter, it will be expedient to keep it ſecret.—The Reſumption of the Jaghires it is neceſſary to ſuſpend until I have your Sentiments on this Letter." (*b*)

You ſee, by the Interpretation which you put upon the Letter at the Time, you do conceive that the Reſumption of the Jaghires was ſo far doubtful as to be a Meaſure not to be carried into Execution, till you knew the Governor General's Pleaſure on the Propoſal made by the Nabob, which is evidently made as an Alternative:—Therefore I aſk, How you can refer ſpeaking of the M[illegible]s following immediately the Reſumption of the Jaghires;—how you can ref[illegible]ribed, to a Meaſure deſcribed ſo differently in your Letter of the 2d [illegible]eaſure deſcribed to be "a Meaſure heretofore propoſed," and which [illegible]Seizure of the Treaſures following immediately the Reſumption of [illegible]ſure which the Nabob propoſed as an Alternative but Four



III.

(*b*) Vide ſupra, Page 720, 721.

A. It

A. It appears by the Letter, it was mentioned as an Alternative by the Nabob; I can only repeat, that I certainly did refer the Expreſſion to the Seizure of the Begums Treaſures.

Q. Do you ſtill, upon your Recollection, ſtate that your Letter of the Second of December was the Firſt Communication that you ever made to Mr. Haſtings upon the Subject of ſeizing the Treaſures?

A. I never had a Doubt about it, nor have I at this Moment, that it was the Firſt Communication I made to Mr. Haſtings, on the Subject.

Q. Had any Anſwer to your Letter of the 2d of December arrived, before you wrote your Letter of the 6th of December?

A. I believe every Letter of Mr. Haſtings, as well as every Letter from me to Mr. Haſtings, both publick and private, upon that Subject, are now before your Lordſhips; I have no Recollection of any other Letter written from him or me upon the Subject.

Q. You will recollect, that in a Letter of the 5th of December to Sir Elijah Impey, which is now in Evidence *(a)*, you ſtate particularly, that the Treaſures will be immediately ſeized: In conſequence of what Order, did you, then the Miniſter Reſident, act, when you came to the Determination of aſſiſting the Nabob in ſeizing theſe Treaſures?

A. By Order of Mr. Haſtings, which will appear in the Letter before your Lordſhips.

Q. But I wiſh it to be particularly ſtated, when that Order was received; for you ſtate that the firſt Propoſal came from the Nabob, and conſequently, did not originate with Mr. Haſtings, but with the Nabob: Now, how is it poſſible, in the Nature of Things, that Mr. Haſtings could give any Order relative to a Propoſal originating with the Nabob; the Communication of which could not, in Point of Time, have reached Mr. Haſtings?—Did you, in conſequence of Orders received from the Governor General, propoſe directly, or inſinuate indirectly to the Nabob, that ſuch a Propoſal ſhould come from him the Nabob?

A. It is impoſſible for me to ſay, whether I might or not: I have no Doubt, but in conſequence of Converſation with Sir Elijah Impey, I might have told, or inſinuated to the Nabob, that if the Propoſal was made, it would not be unattended to.

Q. Can you, in ſo material a Part of your Adminiſtration, have totally forgotten, whether the Orders conveyed to you verbally from the Governor General, through Sir Elijah Impey, were or were not to endeavour, that ſuch Propoſal ſhould come from the Nabob?

A. I really cannot recollect exactly the Purport of Sir Elijah Impey's Communication, further than as I have ſtated; it was an Acquieſcence, that if the Nabob ſhould propoſe it, Mr. Haſtings would not object to it.

Q. You muſt ſee the very material Difference between Orders which purport to be a Willingneſs in the Governor General to acquieſce in that Meaſure, if the Nabob ſhould, as you ſtate the Nabob on former Occaſions had done, expreſs a Deſire to ſeize the Treaſures, and *proprio motu* propoſe it, and Orders of ſo different a Nature; namely, Orders to you as a Miniſter, to endeavour to get the Propoſal to come from the Nabob. Recollect therefore, under which Deſcription the Orders that you received are to be comprehended; namely, Orders of Acquieſcence that you ſhould intimate that ſuch an Intention would no longer be oppoſed, or Orders to endeavour that the Propoſal ſhould be made by the Nabob? Do you attend to the Difference between a general Order, to prevail upon the Nabob to make the Propoſition, and an Order only to intimate to him, that if he ſhould make the Propoſition it would not be rejected?

A. Certainly I underſtand the Difference.

Q. Which of theſe two were the Orders you received?

A. The Order I received from Mr. Haſtings moſt certainly is upon record. The Communication I received from Sir Elijah Impey, I did not conſider as an Order to act with the Nabob in the Buſineſs at all; I only conceived that it was a Communication upon which Mr. Haſtings wiſhed me, in all Probability, to conſult with the Nabob, and that if he ſhould make a Propoſal for the Seizure of the Treaſures, Mr. Haſtings would not oppoſe it. I cannot charge my Memory, at this Diſtance of Time, with the particular Communication from Sir Elijah Impey, upon the Subject: I give your Lordſhips, to the beſt of my Memory, the Impreſſion it made upon me at the Time, and which it has continued to make upon my Mind ever ſince.

Q. What Steps did you take in conſequence of the verbal Communication you received through Sir Elijah Impey, in order to execute thoſe Orders, whatſoever they were?

A. Is it meant of the Orders through Sir Elijah Impey.

Q. Yes?

A. I certainly did not conſider that Communication through Sir Elijah [illegible] than that I was to conſult with the Nabob upon it, and to inform him [illegible]

(a) Vide ſupra, Page 721; alſo, A[illegible]

by him to Mr. Haſtings, it would be aſſented to; I certainly could have taken no Official Steps whatever, in conſequence of that Communication through Sir Elijah Impey.

Q. The ſame Difficulty occurs, and I muſt once more deſire an Explanation, as far as you can give it: After all this Recollection, what is the Senſe you put upon thoſe Words, "the Meaſure heretofore propoſed?"

A. I am ſorry to be obliged to repeat ſo often; it certainly is the Meaſure of ſeizing the Treaſures, which, I knew from the Communication of Sir Elijah Impey, would not be oppoſed, whenever the Nabob ſhould propoſe it as a Meaſure.

Q. I am to underſtand then, that that Expreſſion refers to the Senſe you put upon the Letter, which you received from Sir Elijah Impey. Do the Words "heretofore propoſed" refer to the Letter you had received from Sir Elijah Impey?

A. I received a verbal Communication from Sir Elijah Impey; it might afterwards be mentioned by Letter. I certainly refer it generally to the Meaſure, whether it was communicated to me by Sir Elijah Impey, or by the Nabob.

Q. Whether upon Recollection of all the Circumſtances that have been before you now, you do apply that Phraſe of a "Meaſure heretofore propoſed," to the Meaſure of ſeizing the Treaſure, conſidering that upon the Second of December the Meaſure of ſeizing the Treaſure had been ſpoken of as an Alternative to ſeizing the Jaghires?

A. Certainly I could apply it to no other Meaſure whatever.

Q. Could it have been ſo applied, unleſs you had received ſome ſubſequent Communication on the Subject from Mr. Haſtings in ſome Way or other?

A. I certainly could not have ſpoken of it in the Manner I did, unleſs I had known it would have been a Meaſure accepted by Mr. Haſtings.

The Witneſs was directed to withdraw.

Then the Houſe adjourned to the Chamber of Parliament.

Die Veneris, 30° *Maij* 1788.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

Then it was moved, That Mr. Holt be called to the Bar, to correct a Miſtake in the Minutes of his Evidence; and being called in accordingly, the following Queſtions and Anſwers were read by the Clerk.

" Q. In what Character was Colonel Hannay in that Country?
" A. I underſtood him to be the Commander of the Military Force, and to have the Collections under his Management.

" Q. From whom did he derive the Authority of collecting it?
" A. I heard it was from the Vizier, from the Nabob.

" Q. *(from a Lord.)* Did he farm the Revenue, or did he take it for the Vizier's Uſe?
" A. He received it for the Vizier's Uſe, as I underſtood.

" Q. He received it for the Vizier's Uſe?
" A. So I underſtand.

" Q. You know nothing of it?
" A. I know no Title for it." *(a)*

Then the Witneſs was aſked,

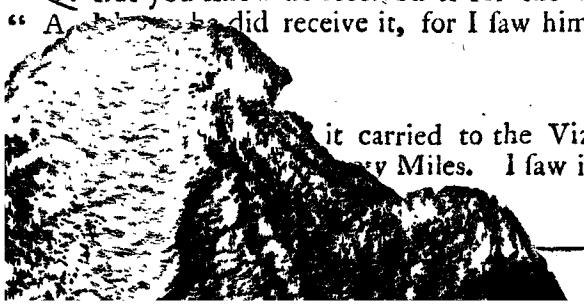
Q. Is the Expreſſion, " I know no Title for it," accurate? In what Senſe did you uſe thoſe Words?
A. I do not recollect having made uſe of the Words in that View, and cannot explain it now but as an Inaccuracy.

Q. Do you, or do you not, know any Thing of the Manner in which Colonel Hannay received that Revenue for the Vizier's Uſe?
A. Is it meant by what Authority?

Q. You were interrogated, Whether Colonel Hannay received the Revenue as a Farmer, or, as Bailiff, for the Vizier's Uſe? and you have ſaid, that he received it for the Vizier's Uſe; and when aſked, Whether you had any Knowledge of it, you anſwered, you knew no Title for it?
A. I fancy I meant, I knew of no Paper by which he was appointed, and which gave him Authority to collect the Revenue.

Then the following Queſtion and Anſwer were read to the Witneſs:

" Q. But you know he received it for the Vizier's Uſe?
" A. [illegible] did receive it, for I ſaw him carry it to the Vizier's Houſe." *(b)*



[illegible] it carried to the Vizier's Houſe, becauſe the Vizier's Houſe was at [illegible]y Miles. I ſaw it carried to Colonel Hannay's Treaſury, and from

(*b*) Vide ſupra, P. 385.

Then

Then the next Queſtion and Anſwer were read to the Witneſs, as follows.

" Q. There is a Doubt about your Anſwer to that Queſtion. The Queſtion put to you was, Whether you knew of his receiving them to the Vizier's Uſe, or of his bringing them to the Vizier's Account?

" A. I did not make any Anſwer to that Queſtion. I have anſwered, that I knew he did collect the Revenues of the Country, becauſe I ſaw them paid into the Treaſury. I underſtood they were for the Uſe of his Highneſs the Vizier; but I know nothing more of it." (*a*)

Then the Witneſs was aſked,

Q. By Treaſury in this Anſwer, you mean Colonel Hannay's Treaſury?
A. Yes; the Place appropriated for receiving the Revenues, within his own Walls.

Then the following Queſtions and Anſwers were read to the Witneſs:

" Q. Did you ever hear that another Remiſſion of Two Lacks, beſides that which you ſtated for the Damage the Nabob might occaſion by Hunting in the Province, was demanded by Colonel Hannay?

" A. I have heard there was a ſubſequent Demand.

" Q. To what Amount?
" A. To the ſame Amount.

" Q. For what was that Remiſſion?
" A. For the Damage which the Cavalcade of the Vizier might occaſion.

" Q. That was the Occaſion ſpecified for demanding the Firſt Remiſſion?
" A. Yes.

" Q. Was the like Occaſion ſpecified upon the Second Time?
" A. Yes.

" Q. Was it for Damage actually done?
" A. Not as I heard of, but for Damage that might be done.

" Q. Were they both in the ſame Year?
" A. No.

" Q. Now, in either of the Years did you hear the Vizier went into the Province?
" A. In One Year he did.

" Q. Did he in the other Year?
" A. I do not know that he did.

" Q. Did you hear that Remiſſion was obtained?
" A. I do not know it was.

" Q. Did you hear it was not?
" A. No.

" Q. You ſaid he did come into the Province One Year; that was the Year he aſked and obtained a Remiſſion?
" A. Yes.

" Q. Did he come into the Province the Second Year?
" A. Yes."

Then the Witneſs was aſked,

Q. Did you mean to ſay that the Vizier went in both thoſe Years into the Province, or only in One?
A. No; only in One.

Q. In which Year did he go into the Province?
A. He went into the Province the firſt Year; the ſecond Year he intended to go, but did not; and, as it ſtands here, it is a very palpable Contradiction.

The Witneſs was directed to withdraw.

(*a*) Vide ſupra, P. 385.

The Managers for the Commons acquainted the Houſe, they had obſerved a great many Errors in the Courſe of the printed Evidence, and ſubmitted to the Houſe in what Manner they might beſt be corrected.

The Houſe informed the Managers for the Commons, that in point of Regularity, it could only be done by re-examining the Witneſſes to the Paſſages which were ſuppoſed to be erroneous.

Then Sir ELIJAH IMPEY was called in, and the following Extract of the Minutes of Evidence was read.

" Q. Whether you was not examined before a Committee of the Houſe of Commons?
" A. I was.

" Q. Whether you recollect the Subſtance of your Anſwer to this Queſtion. In a Letter of the 6th of December 1781, from Mr. Middleton to Mr. Haſtings, there is this Sentence; " Your Pleaſure reſpecting the Begums I have learnt from Sir Elijah Impey, and the Meaſure " heretofore propoſed will ſoon follow the Reſumption of the Jaghires:" to whom do theſe Words, " heretofore propoſed," refer? Do you recollect the Subſtance of your Anſwer to the Houſe of Commons?
" A. I really do not.

" Q. Do you recollect whether your Anſwer was, " By hearing the Letter read, I referred to a Propoſal by Mr. Haſtings through me to Mr. Middleton?"
" A. I certainly do remember that Anſwer; but I believe, if the Whole of my Evidence is taken together, it will appear I gave it there the ſame as I do now; that I related to Mr. Middleton what had paſſed between Mr. Haſtings and me, and that Mr. Haſtings ſeemed to aſſent to the Propoſition, that it was right the Begums Treaſure ſhould be ſeized; but I carried no Directions from Mr. Haſtings, that it was his Will to have it ſo done.

" The Counſel for the Defendant objected to this Mode of Examination.

" The Managers for the Commons ſtated, that they had not waived their Right to examine the Witneſſes they called to what they had ſaid in another Place.

" The Witneſs deſired the Anſwer might ſtand."

" Q. Did you underſtand that you conveyed more than Mr. Haſtings's Conſent to the Nabob's reſuming of the Jaghires, namely, that you underſtood it was the Intention of Mr. Haſtings that Mr. Middleton ſhould recommend it to the Nabob as a Meaſure?
" A. I ſtill think that it was Mr. Haſtings's Intention that it ſhould be recommended to the Nabob as a Meaſure, and that I meant by, his conſulting the Nabob upon the Subject: I do not make uſe of the ſame Words, but to exactly the ſame Purpoſe; I ſhould have conſidered the mere conſulting the Nabob upon the Subject, if it was not the Intention of Mr. Haſtings to recommend it, as merely nugatory." (*a*)

Then the Witneſs was aſked,

Q. It is apprehended that the Queſtion and Anſwer laſt read, were meant to apply to the ſeizing of the Treaſures, and not to the reſuming of the Jagheers. Have you any Memory of the Queſtion, and how do you mean your Anſwer ſhould ſtand?
A. As far as I have any Recollection upon the Subject, it applies ſimply to the Reſumption of the Treaſures; with regard to the Jagheers, I had nothing to ſay with regard to the Begums Jagheers in particular, but to all the Jagheers.

Q. Then you underſtood the Queſtion referred to the Treaſures only?
A. I underſtood it referred to the Treaſures only.

The Witneſs was directed to withdraw.

Then it was propoſed by the Counſel for the Defendant, and agreed to, that in order to ſave Time, as the Errors were very numerous, the Managers for the Commons, and the Counſel for the Defendant, ſhould meet and report to the Houſe the Errors ſigned by the Witneſſes reſpectively, and in caſe any Doubt ſhould ariſe with reſpect to [illegible]ge ſuppoſed to be erroneous, the Witneſſes ſhould be re-examined thereupon [illegible]he Whole ſubject always to the Reviſion and Determination of the

[illegible] for the Commons acquainted the Houſe, they would next [illegible] Evidence, to ſhew that the Directors did order an Enquiry

(*a*) *Supra*, P. 625.

to be made in India into the Conduct of the Begums, that all the World might know the real Truth of the Caſe, and that Mr. Haſtings did ſtifle that Enquiry—previous to which they would read an Extract of a Letter from the Governor General to the Board, which firſt led the Court of Directors to order this Enquiry to be made,

Read, from Book 83, already delivered in, the following Extract of a Conſultation of the 5th February 1782, beginning at Page 268 of the ſame Book.

" Fort William, 5th February 1782.

Secret Dep. Tueſday.

" At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, who being returned to the Preſidency takes his Seat at the Board;

Edward Wheler, John Macpherſon, } Eſquires.

Sir Eyre Coote on Service in the Carnatic.

" The following Letter from the Governor General, received on the 2d Inſtant, is now recorded.

" P. 274.—3dly. The Engagements concluded on the 19th September with the Nabob of Oude, I did hope, that on his Return to his Capital, which I had urged for that Purpoſe, he would immediately have entered upon the Execution of the Meaſures neceſſary for the Accompliſhment of the Plan which we had mutually agreed upon, and particularly the Reſumption of the Jagheers; an Act equally neceſſary to the Reſtoration of the Peace of his Country, and to the Diſcharge of his Debt to the Company.

" After having long waited with much Impatience for this Effect, I was appriſed by the Reſident's Letters, that the Nabob, from what Cauſe I know not, had ſhewn a great Reluctance to enter on this Buſineſs, notwithſtanding the Warmth with which he himſelf originally ſolicited my Acquieſcence in it; that he at length did reſolve to carry it into Execution, and accordingly appointed an Aumil to take poſſeſſion of the ſequeſtered Jagheers; but that a powerful Oppoſition had been prepared by the Begums, which had obliged him to apply for the Aſſiſtance of our Troops; and that the Reſident had accordingly written to Colonel Morgan to ſend a Regiment of Sepoys for that Service. As the Reſident at the ſame Time expreſſed to me his Opinion, that a larger Force would be requiſite to ſurmount the intended Oppoſition, I judged it improper to expoſe a Service of ſuch Importance, either to the Hazard of a Defeat, or to the Chance of a Delay, and therefore immediately iſſued Orders, of which you have already been adviſed, for the March of Colonel Sir John Cumming, with his entire Detachment, for the Performance of it, adviſing the Reſident of it. He in Reply expreſſed an Apprehenſion, that the Nabob Vizier would object to the Movement of ſo large a Force into the Heart of his Dominions, without what he would deem an adequate Occaſion for it, to other Motives, which might be productive of Conſequences hurtful to our Connection with him, and intreated that the Order might be revoked, aſſuring me, that there was no preſſing Occaſion for it.

" I accordingly ordered it to be ſuſpended. In the mean Time, as I had conceived ſome Alarm from the Delays and Difficulties which had attended this Buſineſs, which did not appear to me of a Nature ſuſceptible of them, I wrote to the Reſident, requeſting him ſolemnly to declare to me whether, with the Powers with which he had been inveſted, he was competent to carry into Execution this and the other Meaſures directed in my Inſtructions; that if he were not, I would myſelf proceed to Lucknow, and afford the Nabob my perſonal Aſſiſtance for carrying them into Execution; but that if in his Anſwer he ſhould aſſure me that he was capable of accompliſhing this Service, I would leave the Charge and Reſponſibility of it to him, and depart for the Preſidency. I wrote a Letter to the Nabob in ſimilar Terms. I received the Reſident's Anſwer on the 2d of January; it contained a Declaration that my Preſence was in no Shape neceſſary in that Quarter, and that he was fully competent to undertake and to effect the Accompliſhment of all the Meaſures required by my Inſtructions, and that he ſhould immediately march with the Nabob to Fyzabad for the Purpoſe of enforcing his Claims on the Begums.

" On the Receipt of this Letter, concluding that the Nabob's Anſwer would be to the ſame Effect, and that I ſhould be ſufficiently warranted by them to leave the Buſineſs in the Hands, I prepared for my Departure, allowing a ſufficient Time only for the Receipt of [illegible] Letter, which I expected at the lateſt to receive on the 7th. On that Day I [illegible] proceeded only to a ſhort Diſtance below the Town. At the ſame Time I [illegible] to be given to the Nabob, that although, to prevent a further Loſs of [illegible] proper to begin my Journey towards Bengal, yet I ſhould proceed [illegible] my final Reſolution until I had received his Letter in anſwer to [illegible] tion of conforming to the Contents of it. If theſe ſhould require [illegible] according to the Tenor of the Proffer, and that if I did not [illegible] I would wait for it there. It was not till my Arrival [illegible]

that I did receive his Anſwer, a Tranſlation of which ſhall accompany this. As it contained only a complimentary Invitation, accompanied with an Aſſurance ſimilar to that given me by the Reſident, in relation to the impending Buſineſs, I conſidered it as intended to leave me the free Option either to accept of his Invitation on the Footing he had expreſſed it, or to return to the Preſidency. After much Heſitation, and I will confeſs with ſome Reluctance, I have reſolved on the latter. I dread the Imbecillity and Irreſolution which too much prevail in the Nabob's Council, and muſt influence in ſome Degree both the Conduct of the Reſident and the Miniſters; and I conſider the impending Meaſure of too much Conſequence to be expoſed to the Riſk of a Diſappointment; yet the preſſing Letters which I have written to the Nabob, the ſtrong Injunctions which I have repeated to the Reſident, and the poſitive Aſſurances which I have received from both, afford me every Reaſon to hope that they will be carried into Execution, without further Difficulty or Delay; and I am further confirmed in this Concluſion, by the ſubſequent Advices which I have received ſince my Departure: Theſe amount to the following Subſtance—that the Nabob Vizier arrived at Fyzabad on the 8th, the Reſident accompanying him; that on the 12th he found it neceſſary to employ a Military Force to take poſſeſſion of the Kellah, which was effected without any Effuſion of Blood. The Two Eunuchs, Bahar and Jowarhur Ally Cawn, who were the prime Movers of the late Troubles, and the active Leaders of the preſent Oppoſition, were taken into Cuſtody, and their Followers, amounting to about Three or Four Thouſand armed Men, expelled from the Town and diſperſed. I think it proper to tranſmit to you a Copy of the Reſident's Letter, and to refer you to it for the Particulars of this Event.

" It may be neceſſary in this Place to inform you, that in Addition to the former Reſolution of reſuming the Begum's Jagheers, the Nabob had declared his Reſolution of reclaiming all the Treaſures of his Family, which were in their Poſſeſſion, and to which, by the Mahometan Laws, he was entitled. This Reſolution I have ſtrenuouſly encouraged and ſupported; not ſo much for the Reaſons aſſigned by the Nabob, as becauſe I think it equally unjuſt and impolitic that they ſhould be allowed to retain the Means of which they have already made ſo pernicious a Uſe, by exciting Diſturbances in the Country, and a Revolt againſt the Nabob, their Sovereign. I am not ſanguine in my Expectations of the Reſult of theſe Proceedings, but have required and received the Nabob's Promiſe that whatever Acquiſitions ſhall be obtained from the Iſſue of them, it ſhall be primarly * applied to the Diſcharge of the Balance actually due from him to the Company. * Sic in Orig.

" Notwithſtanding the Reſolution which I have taken to return to the Preſidency, I yet foreſee that many Events may happen which may again require my perſonal Attendance in this Quarter, but even theſe will require that I ſhould firſt concert with you the Plan of my future Conduct reſpecting them. Though the Powers which I poſſeſs are ample and ſufficient for every Purpoſe which may occur, yet as they were granted in a very different State of Affairs, it is become abſolutely neceſſary that I ſhould avail myſelf of a free and full Communication with you upon every probable Contingency, which may proceed from the Effects of the late Changes, before I can venture again, if it ſhall be at all neceſſary, to interfere with my own Authority in any of the Affairs of this Quarter.

" I have made ſuch a Proviſion for this Event that I ſhall at any Time have it in my Power to arrive at Lucknow within at leaſt Three Weeks from my Departure from the Preſidency, and there is little Cauſe to apprehend any material Change of Affairs in the ſhort Interval which muſt neceſſarily precede my Arrival there.

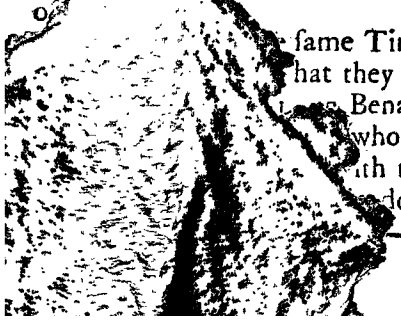
" I have the Honour to be, &c.

" On the Ganges, near Sunagegunah, January 23, 1782. (Signed) Warren Haſtings." (a)

Read, the following Extract of a Letter from the Board at Calcutta to the Court of Directors, dated the 11th of February 1782, from Book 29, already delivered in.

" Par. 3. The above Papers contain ſuch a full Account of all the Tranſactions of the Governor General upon this Service, together with the Motives and Reaſonings upon them, that we think it would be ſuperfluous to add any Thing of our own, but to recommend them to your attentive Peruſal.

" Par. 4. By theſe it will appear that the Treachery and Intrigues of Cheyt Sing, ſupported by the Diſaffection and reſtleſs Diſpoſition of the Bhow Begum, Mother to the Nabob of Owde, at Fyzabad, produced Inſurrections in that Country, which till lately we were unappriſed [illegible] account of the Communication between that Place and Benares being wholly cut o[illegible]



[illegible] ſame Time that the firſt Information of theſe Diſturbances reached us, we [illegible] hat they had been quelled by the Accounts received there of the ſucceſsful [illegible] Benares, and the March of Two Regiments from Cawnpore to the Re[illegible] whoſe Sepoys gave evident Proofs, by their Deſertion, that they had been [illegible] th moſt of his Officers were in great Danger of their Lives, a Detach[illegible] don having been actually attacked and cut off, and the reſt of the

(a) Vide Appendix, N° LXXXI.

Corps

Corps being ſurrounded by the Rabble levied under Sanction of the Begum, avowedly for the Service of Raja Cheyt Sing.

" *Par. 6.* The Circumſtance of theſe Levies is further corroborated by various Reports from Fyzabad, and by the Liſt of Cheyt Sing's Forces delivered to the Governor General at Chunar, in which the Troops ſaid to be come from Lucknow, which formed a Part of his Strength, muſt evidently be the ſame (ſince they agree in Number) with thoſe which Colonel Hannay declares to have been raiſed and ſent to him from Fyzabad.

(At the End.)

" Fort William,
11th February 1782.

Warren Haſtings.
Edward Wheler.
John Macpherſon." (*a*)

Read, the following Extract of a Letter from the Court of Directors to the Board at Calcutta, dated London, the 14th February 1783, from Book 42, already delivered in.

" 4. By the Second Article of the Treaty, the Nabob is permitted to reſume ſuch Jaghires as he ſhall think proper; with a Reſerve, that all ſuch Jaghiredars, for the Amount of whoſe Jaghires the Company are Guarantees, ſhall, in caſe of a Reſumption of their Lands, be paid the Amount of the net Collections through the Reſident.

" 5. We do not ſee how the Governor General could conſent to the Reſumption of ſuch Lands as the Company had engaged ſhould remain in the Hands of thoſe who poſſeſſed them previous to the Execution of the late Treaty, without ſtronger Proofs of the Begum's Defection than have been laid before us: Neither can we allow it to be good Policy to reduce the ſeveral Jaghiredars, and thus uniting the Territory, and the Troops maintained for the Protection of that Territory, under one Head, who may by that Means, at ſome future Period, become a very powerful Enemy to the Company.

" 6. With reſpect to the Reſumption of the Jaghires poſſeſſed by the Begums in particular, and the ſubſequent Seizure of the Treaſure depoſited with the Vizier's Mother, which the Governor General, in his Letter to the Board, 23 January 1782, has declared he ſtrenuouſly encouraged and ſupported, we hope and truſt, for the Honour of the Britiſh Nation, that the Meaſure appeared to be fully juſtified in the Eyes of all Hindoſtan.

" The Governor General has informed us, " That it can be well atteſted, that the Begums prin-
" cipally excited and ſupported the late Commotions; and that they carried their Inveteracy to the
" Engliſh Nation ſo far, as to aim at our utter Extirpation."

" 7. It muſt have been publicly known, that in 1775 the Reſident at the Vizier's Court not only obtained from the Begum, Widow of the late Sujah Dowlah, on the Nabob's Account, Thirty Lacks of Rupees, Half of which was to be paid to the Company, but alſo the Forbearance of Twenty-ſix Lacks, for the Repayment of which ſhe had Security in Land, on the Nabob's agreeing to renounce all further Claims upon her, and that to this Agreement the Company were Guarantees.

" 8. We find that on the 21ſt of December 1775, the Begum complained of a Breach of Engagements on the Part of the Nabob; ſoliciting your Protection for herſelf, her Mother, and for all the Women belonging to the Seraglio of the late Nabob, from the Diſtreſſes to which they were reduced; in conſequence whereof it was agreed, in Conſultation 2d January 1776, to remonſtrate with the Vizier; the Governor General remarking, " That as the Repreſentative of our
" Government has become an Agent in this Buſineſs, and has pledged the Honour and Faith of
" the Company, for the punctual Obſervance of the Conditions under which the Treaty was con-
" cluded, you had a Right to interfere, and Juſtice demanded it, if it ſhould appear that thoſe
" Engagements have been violated." And the Board at the ſame Time reſolved, " That as ſoon
" as the Begum's Engagements with the Nabob, to which Mr. Briſtow is a Party, ſhall be fulfilled
" on her Part, this Government will think themſelves bound to protect her againſt any further
" Demand or Moleſtation."

" 9. If therefore the Diſaffection of the Begums was not a Matter of public Notoriety, we cannot but be alarmed for the Effects which theſe ſubſequent Tranſactions muſt have had on the Minds of the Natives of India. The only Conſolation we feel upon this Occaſion is, that the Amount of thoſe Jaghires for which the Company were Guarantees, is to be paid through our Reſident at the Court of the Vizier; and it very materially concerns the Credit of your Government, on no account to ſuffer ſuch Payments to be evaded.

" 10. If it ſhall hereafter be found that the Begums did not take that hoſtile [illegible] Company which has been repreſented (as well in the Governor General's Narr[illegible] Documents therein referred to; and as it nowhere appears, from the Pape[illegible] Poſſeſſion, that they excited any Commotion previous to the Impriſonment [illegible] but only armed themſelves in conſequence of that Tranſaction; and as [illegible] Conduct proceeded entirely from Motives of Self-defence, under an App[illegible] ſelves might likewiſe be laid under unwarrantable Contributions, we d[illegible]

(*a*) Vide Appendix, N° LIV.

fluence with the Vizier, that their Jaghires may be reſtored to them; but if they ſhould be under Apprehenſions reſpecting the future Conduct of the Vizier, and with our further Protection, it is our Pleaſure that you afford thoſe Ladies an Aſylum within the Company's Territories, and theſe be paid the Amount of the Net Collection of their Jaghires, agreeably to the Second Article of the late Treaty, through the Medium of our Reſident, as may be aſcertained upon an Average Eſtimate of ſome Years back.

(Signed at the End),

Henry Fletcher,
Nath[l] Smith,
John Harriſon,
George Tatem,
R. Hall,
Henry Savage,
Step. Luſhington,
John Smith,
John Hunter,
L. Darell.
Joſeph Sparkes,
Ben. Booth,
Jac[b] Wilkinſon."

Read, the following Extract of a Conſultation of the 28th Auguſt 1783, from Book 156, already delivered in, beginning at Page 731 of the ſame.

" Fort William, 28th Auguſt 1783.

" At a Council; Preſent,

The Honourable Warren Haſtings Eſquire, Governor General, Preſident;

John Macpherſon, } Eſquires.
John Stables, }

Mr. Wheler abſent.

" Mr. Wheler having left the following Minute with the Secretary in conſequence of reading the General Letter of the 14th February at the laſt Meeting, in the Public Department, it is now conſidered.

" General Letter from the Court of Directors, dated the 14th February 1783.

" Mr. Wheler.—It always has been and always will be my Wiſh to conform implicitly to the Orders of the Court of Directors; and I truſt that the Opinion on * which I ſhall give upon that Part of the Court's Letter which is now before us, will not be taken up againſt its Meaning, as going to a Breach of them. The Orders at preſent under the Board's Conſideration are entirely proviſional. *Sic in Orig.

" Nothing has paſſed ſince the Concluſion of the Agreement made by the Governor General with the Vizier at Chunar, which induces me to allow the Opinion which I before held, as well from the Governor General's Reports to this Board as the Opinions which I have heard of many Individuals totally unconcerned in the Subject, that the Begums at Fuzabad did take a hoſtile Part againſt the Company during the Diſturbances in Benares; and I am impreſſed with a Conviction that this Conduct of the Begums did not proceed entirely from Motives of Self-defence. But as the Court of Directors appear to be of a different Opinion, and conceive that there ought to be ſtronger Proofs of the Defection of the Begums than have been laid before them, I think that before we decide on their Orders, the late † preſent Reſident at the Vizier's Court, and the Commanding Officers in the Vizier's Country, ought to be required to collect and lay before the Board all the Information they can obtain with reſpect to the Defection of the Begum during the Troubles in Benaras, and their preſent Diſpoſition to the Company. †Sic in Orig.

" The Governor General deſires to record the following Minute.

" The Governor General.—I think Mr. Wheler has miſconceived the Intention of the Court of Directors. I have attentively read the Fourth and ſubſequent Paragraph of the Letter of the 14th February, but find no Order expreſſed or implied in them which can warrant the Enquiry propoſed by Mr. Wheler. The Court of Directors is already in Poſſeſſion of complete and legal Evidence of the hoſtile Part taken by the Begums of Fuzabad againſt the Company. I cannot directly object to the Propoſal for collecting freſh Evidence on the ſame Charges, but I [illegible]med of the Object of it, before I can aſſent to it. I do therefore object to the [illegible] preſent Terms and State of it."

Read, the following Extract of a Conſultation of the 22d September 1783, from Book 84, beginning at Page 106 of the ſame Book.

" Fort William, the 22d September.

" At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, Preſident;

John Macpherſon, } Eſquires.
John Stables, }

Mr. Wheler abſent.

" Read and approved the Proceedings of the 15th Inſtant.

" The following Minute having been received from Mr. Stables the 18th Inſtant, is now recorded.

" September 9th, 1783.

" Mr. Stables.—The Court of Directors by their Letter of the 14th February 1783, ſeem not to be ſatisfied that the Diſaffection of the Begums to this Government is ſufficiently proved by the Evidence before them.

" I therefore think that the late and preſent Reſident and Commanding Officers in the Vizier's Country at the Time, ſhould be called upon to collect what further Information they can on this Subject, in which the Honour and Dignity of the Government is ſo materially concerned, and that ſuch Information may be immediately tranſmitted to the Court of Directors.

" In the Enquiry propoſed to be made, I wiſh it particularly to be attended to, whether any hoſtile Intention or Mark of Diſaffection to this Government in the Conduct of the Begums appeared before the Troubles of Benaras.

" I think the Reſident at the Vizier's Court ſhould be called upon to give Information to the Board whether the Amount of the Begum's Jaghires has been paid to them, and by what Channel the Payment has been made. The Governor General deſires that the Paragraphs of the Letter from the Court of Directors of the 14th February 1783, to which Mr. Stables alludes in his Minute, may be entered in this Place, becauſe it does not appear to him that the Court of Directors had directed any Enquiry to be made, ſuch as is now propoſed; that it appears to him both too late and unneceſſary at this Time to renew it, as very ſtrong and authenticated Evidence of the Diſaffection of the Begums has been collected and tranſmitted to the Court of Directors; and as the Reaſons aſſigned by the Court of Directors, if theſe ſhall be tranſmitted with the Orders for the Enquiry, will prove in their Effect an Order collecting Evidence to the Juſtification and Acquittal of the Begums, not for the Inveſtigation of the Truth of the Charges which have been preferred againſt them."

" The Governor General thinks it unneceſſary to make any other Comment upon the Motion, or to give either his Aſſent or Diſſent to it; but as the latter may be implied in the preceding Obſervations, if Evidence is to be collected, it ſhould be collected from all Perſons capable of giving it, and not confined to official Characters."

" Par. 6th. With reſpect to the Reſumption of the Jaghires poſſeſſed by the Begums in particular, and the ſubſequent Seizures of the Treaſure depoſited with the Vizier's Mother, which the Governor General in his Letter to your Board 23d January 1782 has declared he ſtrenuouſly encouraged and ſupported, we hope and truſt, for the Honour of the Britiſh Nation, that the Meaſure appeared to be fully juſtified in the Eyes of all Indoſtan. The Governor General has informed us " that it can be well atteſted, that the Begums principally excited and " ſupported the late Commotions; and that they carried their Inveteracy to the Engliſh Na- " tion, ſo far as to aim at our utter Extirpation."

" 9th. If therefore the Diſaffection of the Begums was not a Matter of public Notoriety, we cannot but be alarmed for the Effects which thoſe ſubſequent Tranſactions muſt have had on the Minds of the Natives of India. The only Conſolation we feel upon the Occaſion is, that the Amount of thoſe Jaghires for which the Company were Guarantees is to be paid through our Reſident at the Court of the Vizier; and it very materially concerns the Credit of your Government on no Account to ſuffer ſuch Payments to be evaded.

" 10th. If it ſhall hereafter be found, that the Begums did not take that hoſtile Part againſt the Company which has been repreſented as well in the Governor General's Narrative, as in ſeveral Documents therein referred to; and as it no where appears from the Papers at preſent in our Poſſeſſion, that they excited any Commotion previous to the Impriſonment of Rajah Cheyt Sing, but only armed themſelves in conſequence of that Tranſaction; and as it is probable, that ſuch a Conduct proceeded entirely from Motives of Self-defence, under an Apprehenſion that they themſelves might likewiſe be laid under unwarranted Contributions; we direct your Influence with the Vizier that their Jaghires may be reſtored to them; [illegible] be under Apprehenſions reſpecting the future Conduct of the Vizier, and wiſ[illegible] tection, it is our Pleaſure that you afford thoſe Ladies an Aſylum within [illegible] Territories, and thoſe be paid the Amount of the net Collection of their Jagh[illegible] the 2d Article of the late Treaty, through the Medium of our Reſident, [illegible] upon an Average Eſtimate of ſome Years back."

The Counſel for the Defendant requeſted Mr. Macpherſon's Minute, upon the ſame Subject, might alſo be read.

The ſame was read, as follows, from a Conſultation of the 13th October 1783, beginning at Page 681 of the ſame Book:

" Fort William, 13th October 1783.

" At at a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident,
John Macpherſon, and John Staples, } Eſquires.
Mr. Wheler abſent up the Country.

(" Mr. Macpherſon having delivered the following Opinion upon the Company's Orders of the
" * 4th February reſpecting the Begums at Fyzabad, it was ſent in Circulation, and is now * Sic in Orig.
" entered.

" Received 8th October.

" Mr. Macpherſon. 25th September.

" I have read the General Letter from the Court of Directors of the 14th of February with " Attention. When it was firſt read in Council, I underſtood the Paragraphs about the Begums " as directing an Inveſtigation of the Grounds on which they were deprived of their Jaghires; and " that we ſhould uſe our Influence with the Vizier to put them in Poſſeſſion of the Jaghires, if " there was not ſufficient Evidence of their rebellious Conduct, during the Troubles at Benares.

" On a cloſe Attention to the Words and Spirit of the different Paragraphs upon this Sub- " ject, I do not think that we are directed to commence any new Inveſtigation of Evidence. In- " deed I do not well ſee how ſuch an Inveſtigation could be regularly undertaken; or what ſalutary " Purpoſe it could produce.

" There has been no Appeal from the Begums to this Government; and there certainly was " ſufficient Proof, at the Time that thoſe who had the Management of their Concerns, during the " Troubles of Benares, were no Friends, but real Enemies, to the Cauſe of the Engliſh.

" The Points which the Court of Directors ſeem to have moſt at Heart are, 1ſt, That the En- " gagement of the 2d Article of the Benares Treaty ſhould be faithfully fulfilled; and 2dly, To " guard againſt the future Conduct of the Vizier, if he ſhould be diſpoſed to oppreſs the Begums.

" We ſhould therefore aſcertain whether the Amount of the Jaguirs of the Begums is regu- " larly paid to them through the Company's Reſident; and give them Notice that no future De- " mands ſhall be made upon them. This the Governor General might, I think, do in a Letter " that would make the Begums ſenſible of their paſt Miſconduct, yet inform them of the Lenity " and gracious Intentions of the Company in ordering them an Aſylum in Bengal, in caſe of future " Diſtreſs. In conſequence of the foregoing Opinion from Mr. Macpherſon, the following Minute " was delivered by the Governor General.

" G. G. † Gheretty, 9 October 1783. † Sic in Orig.

" I ſhould gladly acquieſce in the Motion made by Mr. Macpherſon, if I thought it poſſible Minute from " to frame a Letter to the Begums in any Terms which ſhould at the ſame Time convey the Inti- the Governor " mation propoſed by it, and not defeat the Purpoſe of it, or be productive of Evils greater than General. " any which exiſt in the Conſequences of the Proceedings which have already taken place, and " which Time has almoſt obliterated. The Orders of the Court of Directors are conditional. They " require nothing but in the Event of Diſcoveries made ſubſequent to the Advices which were before " you on the 14th February laſt, in Alleviation of the former Conduct of the Begums; nothing has " ſince appeared in relation to them; but their Refuſal, or rather that of One, to fulfil her En- " gagements for the Payment of the Remainder of the Sum exacted from her by the Nabob Vizier " in the Beginning of the laſt Year. Whatever Obedience may be due to the clear and aſcertained " Spirit of the Orders of the Court of Directors, this Obligation cannot extend to Points of " which neither the Letter nor evident Spirit of their Orders apply. If I am rightly informed, the " Nabob Vizier and the Begums are on Terms of mutual Good-will. It would ill become this " Government to interpoſe its Influence by any Act which might tend to revive their Animoſities; " and a very ſlight Occaſion would be ſufficient to effect it. It will be to little Purpoſe to tell them " that their Conduct has in our Eſtimation of it been very wrong, and at the ſame Time to announce " to them the Orders of our Superiors, which more than indicate the reverſe. They will in- " ſtantly take fire on ſuch a Declaration, proclaim the Judgment of the Company in their Favour, " demand a Reparation of the Acts which they will conſtrue Wrongs ‡ which ſuch a Sentence war- ‡ " Thus in " rant [illegible] Conſtruction, and either accept the Invitation to the proclaimed Scandal of the Orig." " Vizier [illegible] not add to the Credit of our Government, or remain in his Dominions, but not " [illegible] to add to his Vexations, and the Diſorder of the Country by continual In-

" trigues

* Sic in Orig.

" trigues and Seditions. Enough alread* exiſts to affect his Peace, and the Quiet of his People.
" If we cannot heal, let us not inflame the Wounds which have been inflicted.

" If the Begums think themſelves aggrieved to ſuch a Degree as to juſtify them in an Appeal " to foreign Juriſdiction, to appeal to it againſt a Man ſtanding in the Relation of Son and " Grandſon to them, to appeal to the Juſtice of thoſe who have been the Abettors and Inſtruments " of their imputed Wrongs, let us at leaſt permit them to be the Judges of their own Feelings, and " prefer their Complaints, before we offer to redreſs them. They will not need to be prompted.

" I hope I ſhall not depart from the Simplicity of official Language in ſaying, that the Majeſty " of Juſtice ought to be approached with Solicitation, not deſcend to provoke or invite it, much " leſs to debaſe itſelf by the Suggeſtion of Wrongs and the Promiſe of Redreſs, with the Denun- " ciation of Puniſhment before Trial, and even before Accuſation.

" (Signed) W. Haſtings.

" Mr. Macpherſon.—I ſee with the Governor General the Difficulty of writing a Letter to the " Begums, that would not, in ſome Degree, extenuate their paſt Conduct, yet convey to them a " Knowledge of the Protection tendered to them in the Event of future Diſtreſſes by the Court of " Directors.

" I wiſhed to adopt an Expedient to ſhew the Company that we were ready to meet any " Wiſhes they had on the Subject. I only ſuggeſted the Idea, but do not move it as a Queſtion.

" The Majeſty of Juſtice ought certainly to be met with Solicitation, and ſhould not deſcend " to provoke or invite it; but from ſome Expreſſion in the Letter of the Court of Directors, I am " led to think they had ſome Complaint before them, or a different Repreſentation from the Evi- " dence ſent by this Government about the Rebellion of the Begums, when they wrote their Di- " rections of the 14th February laſt; otherwiſe they would either have approved or diſapproved of " the Conduct of this Adminiſtration, upon the Facts ſtated to them, or have been ſilent till they " received further Advices. I agree with Mr. Stables, that the Reſident at the Court of Oude " ſhould be called upon to ſtate to the Board, whether the Begums have received the Amount of " their Jaghuirs.")

Read, from Book 81, already delivered in, the following Extract of a Conſultation of the 28th July 1783, beginning at Page 213 of the ſame Book.

" Fort William, 28th July 1783.

Secret Dep. Monday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident,
Edward Wheler, } Eſquires.
John Staples, }
Mr. Macpherſon indiſpoſed.

" LIST of Mr. Middleton's public Correſpondence with the Honourable Board, from the Period of ſigning the Treaty at Chunar, to the 23d October 1782, when he delivered over the Reſidency to Mr. Briſtow.

" Of Date 17th October 1781, To the Honourable the Governor General.

20th } 20th }	ditto	1781,	To	ditto ditto
20th	ditto	1781,	To the Honourable Board.	
23d	ditto	1781,	Ditto	ditto.
28th	ditto	1781,	To the Honourable the Governor General.	
29th	ditto	1781,	To the Honourable Board.	
30th	ditto	1781,	To the Honourable the Governor General.	
2d	November	1781,	Ditto	ditto ditto.
14th	ditto	1781,	Ditto	ditto ditto.
4th	December	1781,	Ditto	ditto ditto.
12th	ditto	1781,	To the Honourable the Governor General.	
17th	ditto	1781,	To the Comptroller of the Offices.	
19th	ditto	1781,	To the Honourable the Governor General.	
22d	ditto	1781,	Ditto	ditto ditto.
24th	ditto	1781,	To the Comptroller of the Offices.	
27th	ditto	1781,	To the Honourable the Governor General.	
30th } 30th }	ditto	1781,	Ditto	ditto ditto.
3d	January	1782,	Ditto	ditto ditto.
10th	ditto	1782,	Ditto	ditto ditto.
13th	ditto	1782,	Ditto	ditto ditto.
15th	ditto	1782,	Ditto	ditto ditto.
18th	ditto	1782,	Ditto	ditto ditto.

" Of

Of Date 20th January 1782, To the Honourable the Governor General.
25th ditto 1782, Ditto ditto ditto.
27th ditto 1782, Ditto ditto ditto.
(At the End of the Liſt),
(Signed) Nath[l] Middleton.
(And at the End of Conſultation),
(Signed) Warren Haſtings,
John Macpherſon,
John Stables." (*a*)

Read, from Book B, already delivered in, the following Letter from Mr. Middleton to Mr. Haſtings, dated the 8th October 1782.

" To the Honourable Warren Haſtings, Governor General, &c. &c. &c.

" Sir,

" Incloſed I have the Honour to forward you Letters from his Majeſty Shaw Aulum and Mirza Shuffee Cawn; and am, with the higheſt Reſpect,

Sir,
Your moſt obedient and
moſt humble Servant,
(Signed) N. Middleton, Reſident, &c."

Read, from the Appendix to the Banares Narrative, the following Extract, beginning at Page 87 of the ſame.

" Num. 37.

" To the Nabob Vizeer.

" Your Excellency will have heard from Report the rebellious and treacherous Conduct of Cheit Sing, which has delayed for a few Days my Departure towards Lucknow; and I am now arrived at Chunargur, where I ſhall remain ſome Time, to puniſh this Treachery and Rebellion, which has originated from his own wicked Diſpoſition. Your Excellency will therefore be pleaſed to return to Lucknow; and as the ſole Object of my Journey from Calcutta to this Quarter was to have an Interview with your Excellency, by the Bleſſing of God having ſhortly puniſhed in an exemplary Manner this Rebel, I ſhall be made happy by meeting your Excellency, who in the mean while muſt not ſuffer any Apprehenſions or Doubts to exiſt reſpecting this Buſineſs.

" As in this Time of Neceſſity Troops are wanted here, and our Concerns are the ſame, I have therefore written to Lieutenant Polhill, who is with ſome Companies of your Excellency's Sepoys at Illahabad, to come to this Place, and have promiſed to acquaint you with it; aſſuring him, that your Excellency will approve of his coming here.

" Chunargur,
23d Auguſt 1781.

" Warren Haſtings." (*b*)

Read, alſo, the following Extract from the ſame Appendix, beginning at Page 88 of the ſame.

" Num. 39.

" To Mr. Nath. Middleton, Collector, &c. Lucknow.

" Sir,

" Immediately upon Receipt of this Letter you will be pleaſed to pack up and diſpatch One Lack of Rupees in Silver, to be delivered here to the Commanding Officer of this Place. Should you not poſſeſs a Sum equal to this Amount in your Treaſury, you will be pleaſed to exert every Means in your Power to raiſe it upon your own Credit, or otherwiſe; and when prepared, put it in charge of the Officer commanding the Regiment of Sepoys which I lately ordered from Khaunpoor to Lucknow. He is directed to eſcort the Treaſure with his whole Force to this Place.

" You will further be pleaſed, immediately on Receipt of this, to ſend an Agent to Illahabad, with Directions to purchaſe Grain to ſuch Amount as he may be able to diſpatch by Water from thence to this Fortreſs, for the Uſe of the Troops encamped near it.

" You will alſo, as ſoon as poſſible, acquaint the Nabob Vizeer, that inſtead of meeting him upon the Road from Lucknow to Banaris, I now intend meeting him at Lucknow; and that I conſequently requeſt he will immediately return to that Place, and there wait my Arrival.

" Chunargur,
the 23d of Auguſt 1781.

" I am, &c.
" Warren Haſtings." (*c*)

(*a*) N° XLIII. (*b*) Vide ſupra, P. 195. (*c*) Vide ſupra, ibid.

Read, alſo, further Extract from the ſame Appendix, beginning at Page 102 of the ſame.

" Num. 67.

" To the Honourable Warren Haſtings Eſquire, Governor General, &c.

" My dear Sir,

" I am this Inſtant favoured with your's of the 24th, and I Yeſterday received your publick Letter of the 23d. The Khaunpoor Regiment is arrived at Lucknow, and by To-morrow will, I have no doubt, be on its March, with a Lack of Rupees, to join you. Proviſions will alſo be ſent you daily from Illahabad. The Nabob will move towards you immediately. No Perſuaſions will induce him to return to Lucknow. On this Subject I have written fully to Johnſon. I have received no Letters from you but the Two above mentioned. We ſhall be near you in Eight Days.

" Huſſaupoor,
29th Auguſt 1781.

" My dear Sir, &c.
" Nath. Middleton." (*a*)

Read, alſo, the following Extract from the ſame Appendix, beginning at Page 104 of the ſame.

" Num. 69.

" To the Honourable Warren Haſtings Eſquire, Governor General, &c.

" Honourable Sir,

" The unuſual Failure of Intelligence from you, and the Reports which are brought to me by the Natives being fraught with alarming Accounts of your Situation, have determined me to detach immediately Two Regiments of Sepoys, 40 European Artillery-men, with Four Guns and One Howitz, with Orders to proceed with all Expedition to join you; and the Officer commanding the Detachment has Orders to purſue ſuch Meaſures, and make ſuch Movements, as he ſhall deem expedient, according to his Intelligence, for effecting that Service. They will ſet off on Saturday next, September the 1ſt. The Artillery, for the ſake of Expedition, is to go down by Water to Illahabad, where it is to wait for the Arrival of the Sepoys. I ſhall immediately order Three Battalions from the Detachment at Calpee to march to this Station, and One Battalion under Major Gilpin will be left for the Protection of that Place. A freſh Supply of Ammunition has been diſpatched to Lucknow for Major Roberts's Regiment.—Though I cannot but imagine, that were your Situation anyways critical or dangerous, and you ſtood in need of Military Force to aſſiſt you, I ſhould not have remained ſo long without receiving Orders from you to ſend Troops down; yet I doubt not but the Step I have taken will receive your Approbation, as there is a Poſſibility of your Orders having miſcarried, and the Conſequence of a Delay, in ſuch a Caſe, might prove ſerious and dangerous.—I ſhall order the Regiment of my Brigade that is now at Futtehgur, to march down to this Station as ſoon as poſſible.—As the quick Arrival of this Letter to your Hands is promiſed to be rewarded by you, or the Officer who receives it, I beg leave to requeſt that you may be pleaſed to order the Sepoys and Boatmen ſuch Rewards, honorary or pecuniary, as you may think equal to the Merit of their Service.

" I have the Honour to be, &c.
James Morgan, Colonel."

" Khaunpoor,
29th Auguſt 1781.

" Num. 70.

" To the Honourable Warren Haſtings Eſquire, Governor General, &c. Banaris.

" Honourable Sir,

" Since I incloſed the accompanying Duplicate, I have received a Letter from Lieutenant Pigott at Illahabad, covering a Note from Colonel Blair, to communicate your Orders to an Officer commanding a Detachment proceeding from Khaunpoor to Banaris by Water; and Lieutenant Pigott has ſent Three Copies of it that have ſince arrived. His Care and Attention I muſt beg leave to recommend here, as from theſe I received the firſt authentic Intelligence of your being in want of Troops to aſſiſt you; and as by the Words of Colonel Blair's Note, it appears that you had diſpatched Orders to me for ſending a Detachment of Troops down to Banaris; but theſe Orders never reached me, and I am now at a Loſs to know what Strength you wiſhed the Detachment. To-day, Part of the Detachment I ſend down to you under Command of Major Crabb will embark, and To-morrow the whole will ſet off: It conſiſts of a Party of Artillery under Captain Hill, the Two Flank Companies of the European Regiment, and [redacted] Regiments

(*a*) Vide ſupra, Page 203.

of Sepoys, with Four 6 Pounders and One Howitz; Tumbrils, Ammunition, Draft and Carriage Cattle. All will proceed by Water, but no more Boats can be procured here.

" I have the Honour to be, &c.

" Khaunpoor, 30th Auguſt 1781. James Morgan, Colonel." (*a*)

" N. B. The Bearer is highly deſerving a good Reward."

Read, alſo, the following Extract from the ſame Appendix, beginning at Page 108 of the ſame.

" NUM. 75.

" To the Nabob Vizier.

" I was made happy by the Receipt of your Excellency's Two Letters, accompanied by Mr. Middleton's, acquainting me that you have advanced ſome Days Journey from Lucknow, and arrived at Peepulpoor, and that you would proceed from thence towards this Place, where you would ſoon arrive. Before this I wrote to your Excellency, requeſting that you would lay aſide your Intention of coming here, and return to Lucknow, that you might not ſuffer any Inconvenience on the Road, from the rebellious Diſpoſition of Cheit Sing's People; and that I, having ſettled theſe Matters, would proceed to an Interview with your Excellency; and that you ought by no means to think of coming to this Quarter. But as I learn, that notwithſtanding this, your Excellency is reſolved on coming to my Aſſiſtance, I am filled with the higheſt Gratitude for ſo noble a Proof of your Friendſhip. It is now incumbent on your Prudence and Circumſpection that you advance with the greateſt Caution, to prevent any Inconvenience from the Treachery of Cheit Sing's People. As ſoon as I am informed of your Excellency's Approach to Chunar, I will croſs the River with as many Troops as I have with me, and will proceed to meet you. Three Days ago Major Popham, with a ſmall Part of his Detachment, attacked a large Force of Cheit Sing's entrenched near the Fort of Pateeta, defeated them completely, and took Four Guns, ſeveral Tumbrils of Ammunition, and a conſiderable Quantity of all Sorts of Military Stores. I beg leave to congratulate your Excellency on this ſignal Succeſs." (*b*)

" September 6th, 1781."

Read, alſo, a further Extract from the ſame Appendix, beginning at Page 109 of the ſame.

" NUM. 77.

" To the Honourable Warren Haſtings Eſquire, Governor General, &c.

" Honourable Sir,

" A Detachment of 100 Europeans, 30 Artillery Men under Captain Hill, 2 Regiments of Sepoys, 1 Howitz, &c. under the Command of Major Crabb, ſet off by Water on the 31ſt ult. for Chunargur. Your Order of the 25th ult. I received the 1ſt, and that of the 26th on the 2d. I ſent by Expreſs your Order to Colonel Cumming immediately. I am preparing to follow the Detachment with my whole Force as ſoon as poſſible. I have wrote to you Letters in Triplicate, to inform you of what I have done. I have given Major Crabb particular Orders to carry down Grain and Proviſions with him and gave him 25,000 Rupees to purchaſe it with, which was all the Caſh in the Treaſury here. I am now much diſtreſſed for Boats. Some of my Letters I ſent down by Water. Depend upon my uſing the utmoſt Expedition.

" Khaunpoor, 4th September 1781.

" I have the Honour to be, &c.

" James Morgan, Colonel." (*c*)

Read, alſo, the following Extract from the ſame Appendix, beginning at Page 110 of the ſame.

" NUM. 79.

" To Colonel Morgan.

" You have acted nobly; and with a Deciſion that does you Honour. I moſt heartily thank you. I have had a Letter from Major Crabb, dated the 2d, from Illahabad: He propoſed to march by Land from thence, and I expect him hourly, though I have not heard from him ſince. The Nabob is near; Major Moſes Crawford is alſo on the Way from Dynapoor, and is reported to be at Sukkerdeea, which is but 4 Coſs from Ramnagur. I have written to you the News of the 3d. On that Morning Captain Blair, with 5 Battalion Companies and 2 Companies of Major Popham's Grenadiers, with Two Six Pounders, attacked the Enemy, encamped in a Body of more

(*a*) Vide ſupra, Page 206. (*b*) Vide ſupra, Page 206. (*c*) Vide ſupra, ibid.

than

than 4000 Men, at Pateeta; and after a very ſevere and doubtful Conflict, in which we loſt 105 Men, killed and wounded, he obtained a moſt deciſive Victory, taking all their Guns and Ammunition, viz. 4 Guns, 4 Tumbrils, and of Ammunition an incredible Quantity, moſt of which he deſtroyed, ſpiked One Gun, and brought away the reſt. I hope that it will be unneceſſary for you yourſelf to proceed this Way; yet march, and uſe your own Diſcretion in advancing. If your Preſence ſhall be required, you will receive the ſureſt Proof of it by the Failure of my Letters. I leſs fear the actual Enemy than the Contagion of the Example. I am much pleaſed with the Nabob.

" Chunar, Warren Haſtings."
8th September 1781.

" Num. 80.

" To the Honourable Warren Haſtings Eſquire.

" Dear Sir,

" Futteh Shah, Genoo Roy, and Ajeet Mull, with a large Body of armed Men, are come into Huſſeepoor. The Two laſt have, I underſtand, joined Futteh Shah, on a Promiſe of his Aſſiſtance in obtaining Poſſeſſion for them of their Zemeedaries in Gooruckpoor, which is to be the Second Object of this Confederacy. I have no Force to defend any Part of my Diſtricts, and have therefore been under the Neceſſity of calling on the Zemeedars of Sircar Sarun for their Aſſiſtance on this Occaſion, and ſome of the principal Men amongſt them are gone with their Dependants to Huſſeepoor; but I confeſs I have no great Confidence in them. Several of them are intimately connected with Cheit Sing; there are alſo ſome allied by Marriage to Doorgbijey Sing and to Owſan Sing. The Names of theſe laſt are Gopaul Narain, Serib Narain, Govind Narain, Hir-Govindſaw, Boniſſer Saw, and Ragonaut Saw. Letters to them from Doorgbijey Sing and Owſan Sing would be of infinite Service, and might in ſome Degree counteract the infamous Attempts of Cheit Sing. One Letter of his (and I have Reaſon to believe there are many in Circulation) addreſſed to Durjoo Sing, a Zemidar of the Diſtrict, at preſent employed in Huſſeepoor, was by him carried to the Aumil of that Place, who immediately ſent it to me. It is ſigned by Cheit Sing's own Hand, and has the large Seal of his Government affixed to it. He therein deſires Durjoo Sing to kill every European and Sepoy he can, and join him with all his People.

" In my Letter of the 25th ultimo I acquainted you with the Application I had made to Colonel Ahmuty for a *Battalion of Sepoys, and with his Refuſal.* He wrote me, that the whole Force at Dinapoor was Nine Companies; that they were lately incorporated, and the Arms they had unſerviceable.

" I have the Honour to be, &c.

" Chuprah, Charles Græme." *(a)*
4th Setember 1781.

Read, alſo, a further Extract from the ſame Appendix, beginning at Page 117 of the ſame.

" Num. 94.

" To the Honourable Warren Haſtings Eſquire.

" Honourable Sir,

" It is with the greateſt Concern I ſend you the incloſed for Mr. Middleton, intercepted by the Rajah's People. There is another Letter from Major Hannay, dated Fyzabad, 10th inſtant; the Purport of which is nearly the ſame as that encloſed, to caution you againſt the ſecret Deſigns of the Nabob, and that he (Major Hannay) is much diſtreſſed and ill. The Rajah will not ſuffer me to ſend the Major's Letter to you, from ſome capricious Whim: I dare not now aſk him; but the Major ſays nothing more than I tell you. I was obliged, from ſad Neceſſity, to tell the Rajah ſome Part of the Contents of the encloſed; but I took care it ſhould be merely plauſible: I omitted ſuch Particulars as he might take the leaſt Advantage of. For Heaven's Sake, Sir, condeſcend to liſten to ſome Terms of Conciliation, while we can do it without leſſening our Dignity. Pardon me the Preſumption of adviſing you. I am, it is true, wanting in Wiſdom and the Knowledge of Politicks, but I ſee the Rajah is very (I fear too) formidable. I am greatly diſtreſſed at the Contents of the incloſed Letter. Heaven avert the impending Storm, and protect you ever!

" Lutteefpoor,
Tueſday Night, 11 o'Clock, " Jacob Barnet *(b)*."
18th September 1781.

(a) Vide ſupra, Page 207.

(b) Vide ſupra, Page 210.

Read,

Read, alſo, the following Extract from the ſame Appendix, beginning at Page 140 of the ſame.

" Num. 120.

" To Colonel Morgan.

" Sir,

" In my Letter to you, dated the 24th inſtant, I acquainted you, that as the Nabob expected his Return to his Capital would put a Stop to the Diſturbances which have lately ariſen in his Country, it was unneceſſary for you to proceed to Lucknow with your Brigade, as I at firſt directed. From a ſubſequent Converſation with the Miniſter, I find there is a Probability that the Nabob may be deceived in his Expectations, and ſtill require your Aſſiſtance; I have therefore directed Mr. Middleton, on the Nabob's Application to him in Writing for that Purpoſe, to apply to you for the Aid of ſuch a Force as the Nabob may require; which I requeſt you will be pleaſed to furniſh on Mr. Middleton's Requiſition.

" Ramnagur, I am, Sir, &c.
27th September 1781. Warren Haſtings."

" Num. 121.

" To the Honourable Warren Haſtings Eſquire.

" Honourable Sir,

" I was honoured laſt Night with your Letters of the 24th inſtant; and beg leave to aſſure you, it is the Summit of my Ambition to merit your Approbation of my Conduct; and the Compliment you paid the Troops which I ſent you, heightened my Satisfaction with additional Pleaſure. In conſequence of your Letter of the 19th, deſiring me to halt at this Place, I immediately ordered that Part of my Brigade that had croſſed over the Jooſy, to recroſs; but in order to loſe no Time, I ſhall directly march towards Lucknow, and, agreeable to your Directions, ſhall direct Colonel Sir John Cumming to croſs immediately at Khaunpoor, and proceed to Lucknow with Two Regiments, and Four Guns, and to comply with ſuch Requiſitions as the Nabob or the Reſident make to him for Aſſiſtance, to eſtabliſh Tranquillity in his Excellency's Dominions. But I have the Pleaſure to inform you, that I learn, both by Letters written by Gentlemen at Lucknow, and from my Intelligence Writer there, that the Commotions have ſubſided, and they entertained no Alarm, but from the Situation of Chunar; and I am ready to conclude, that the Brigade's halting here operated in ſome Meaſure to produce that good Effect; and I am now concerned I ſent to you that Extract from Mr. Blane's Letter, as I apprehend it was written without a right Conſideration of Circumſtances, and cauſed you ſome unneceſſary Alarm. Captain Law will croſs the River To-morrow Morning with all the Cavalry fit to ſerve on active Service, and I have given him Inſtructions to uſe all Expedition on his Way down to Chunar. I ſhall march on this Side the Water up to Khaunpoor. I will write to Mr. Middleton to let me know if the Aſſiſtance of my Troops is wanted, and ſhall be prepared to afford him any Aid, either with my whole Force, or any Part of it, ſhould the Detachment with Colonel Sir John Cumming not prove ſufficient for quelling any Diſturbances in the Nabob's Country; but in the preſent State of the Country I make no doubt of Colonel Cumming's Force being enough. As the Exigence of Affairs does not ſeem now to be preſſing, I have left it to Colonel Cumming's Option, either to proceed with the Detachment, or to go and command at the Station of Futteh Ghur, with the Two Regiments he has left there, till further Orders from me.

" Camp near Illahabad, I have the Honour to be, &c.
27th September 1781. J. Morgan." (*a*)

Read, alſo, the following Extract from the ſame Appendix, beginning at Page 143 of the ſame.

" Num. 124.

" Tranſlation of a Letter found in Lutteefpoor the 6th of October, and forwarded to the Governor General by Captain Thomas Blair.

" On Thurſday, after my Arrival at Banaris from Buxar, I went to Sewallah-Ghaut with a View of repreſenting to you ſeveral Circumſtances which I had learned concerning the oppoſite Party; but as they had got in before me, I was deprived of an Opportunity of ſeeing you. I was preſent at the Place where your Friends and People were ſitting, and where they aſſembled together; and when you went into the Boat, notwithſtanding it was my earneſt Deſire to have accompanied you, yet I had no Opportunity of doing it. The enſuing Day, the Paſſage of Boats to and fro was entirely obſtructed, and I was afraid to ſend you Intelligence from this Place, leſt the Letter ſhould have fallen into the Hands of the Enemy. They remained afterwards Four Days at this Place

(*a*) Vide ſupra, Page 223.

with a few Men, and if you had then attempted to retaliate on them, you would certainly have taken Two Pigeons in One Trap; but as all your Actions are accompanied with good Fortune, there is no Doubt but the Enemy will be ſoon overcome. For Two Days the Hircarrahs of the oppoſite Party came to my Houſe to make Enquiries; but, by the Bleſſing of God, no ill Conſequence enſued. Now that you have taken this heavy Burthen upon yourſelf, you muſt truſt entirely in God, and ſhew, on all Occaſions, the utmoſt Fortitude. The Alliance of ſeveral Chiefs, at a Time like this, is very neceſſary, and may be eaſily accompliſhed; yet you muſt avoid forming any Connection with a Chief of ſuch Conſequence as may afterwards himſelf attempt an Interference in your Affairs. Whatever Orders you give, muſt proceed from your own Deliberation. I am at preſent perfectly idle here, and I am very ſolicitous of an Interview with you, that I may in Perſon communicate to you my Opinions on ſeveral Points which have occurred to me. By a Letter from Bulwunt Row, I underſtand that you wiſh me to inform myſelf concerning the Arrival of Hyder Beg, and to write you on the Subject.

" I will aſſuredly make every neceſſary Enquiry, both about Hyder Beg and the Nabob Aſſof ud Dowlah, and communicate to you the Reſult. I have already ſent confidential Perſons to both, and whatever I may in conſequence learn, ſhall be communicated to you hereafter. Meanwhile the Matter is briefly this: You muſt never entertain Hopes of the Attachment of Hyder Beg; his whole Strength and Power depend on the oppoſite Party; yet it is proper you ſhould attempt to conciliate the Favour of the Vizeer, by telling him that you are deſirous of repreſenting ſeveral Circumſtances to him; that you wiſh to perſuade him to detach himſelf from the oppoſite Party, and to reſume his former Authority over you. Without knowing your Sentiments on this Subject, it is not in my Power to act ſo of myſelf.

" It is however at all Events adviſeable, that if the Vizeer ſhould entirely embrace the other Party, you ſhould nevertheleſs wait upon him perſonally, and repreſent to him whatever you may deem adviſeable. I beg you will believe me to be in every Reſpect firmly attached to you. Major Hannay with One Battalion has left Gooruckpoor, and Letters have been ſent to Khaunpoor for Troops from thence; you ſhould therefore retaliate on them as ſoon as poſſible. If Hyder Beg, without your Conſent, ſhould attempt to join the oppoſite Party, it is proper you ſhould ſtation a ſuitable Force on this Side of the Fort of Chunar, to prevent his croſſing the River. Yeſterday Rajah Gobind Ram and Lalla Bucheraje went and had an Interview with Hyder Beg. What more ſhall I ſay? The Object of Hyder Beg is certainly to manifeſt his Attachment to the oppoſite Party." (*a*)

Read, from *Book C, already delivered in*, the following Letter from Mr. Auriol to Mr. Middleton, dated the 23d May 1782.

" To Mr. Nathaniel Middleton, Reſident at the Vizier's Court.

" Sir,

" I am directed by the Honourable the Governor General and Council, to acquaint you, that the Letter which you have written to the Governor General, encloſing the original Treaty concluded by him with the Vizier at Chunar, contained only that Part to which the Nabob had agreed and affixed his Seal; I am therefore to requeſt that you will alſo ſend down the Requiſitions made by the Vizier, to which the Governor General agreed, and affixed his Seal and Signature.

" I am,
Sir,
Your moſt obedient Servant,
(Signed) J. P. Auriol,
Secretary."

" Fort William,
the 23d May 1782.

To ſhew the Time when Mr. Middleton received the firſt Notice of his Recall from Lucknow,

Read, from the ſame Book, the following Letter from the Board to Mr. Middleton, dated the 23d of September 1782.

" To Mr. Nathaniel Middleton, Reſident at the Vizier's Court.

" Sir,

" Having thought fit to recall you to the Preſidency, and appoint Mr. John Briſtow to ſucceed to your Station, we hereby direct, that on Mr. Briſtow's Arrival at Lucknow, you immediately deliver over Charge to him of the Office of the Reſident, with all the Treaſure, Accounts, Papers, Documents, and Dependencies thereunto belonging, and make the beſt of your Way to Calcutta; for which Place you will then ſet out without further Delay.

" We are, Sir,
Your moſt obedient humble Servants,
(Signed) { Edward Wheeler,
John Macph[illegible]

" Fort William,
the 23d September 1782.

(*a*) Vide ſupra, Page 225.

Then the Counſel for the Defendant requeſted, that as it had been ſuggeſted Yeſterday, that the Letter of the 12th of December 1782 was ſuppreſſed, Mr. Robert Hudſon might be called in.

Accordingly Mr. ROBERT HUDSON was again called in, and the following Queſtion was put to him:

Q. Can you turn to a Letter from Mr. Briſtow to the Board, dated the 1ſt December 1782?
A. Yes.

The Counſel for the Defendant requeſted, that before the Letter of the 1ſt of December 1782 was produced, an Extract of a Letter from the Board to Mr. Briſtow, dated the 3d of March 1783, might be read, from a Conſultation of the ſame Date.

The ſame was read from Book 85, already delivered in, beginning at Page 310 of the ſame Book:

(" Fort William, 3d March 1783.

" At a Council; Preſent,

" The Honourable Warren Haſtings Eſquire, Governor General, Preſident; Secret Dep. Monday. 3d. March.

" General Sir Eyre Coote, Commander in Chief.

" Edward Wheler,
" John Macpherſon,
" John Stables, } Eſquires.

" We deſire you will inform us if any, and what Means, have been taken for recovering the " Balance due from the Begum at Fyzabad, and, if neceſſary, that you recommend it to the " Vizier to enforce the moſt effectual Means for that Purpoſe.

" We are, &c.

(Signed) Warren Haſtings,
(Signed) Eyre Coote,
(Signed) Edwd Wheler,
(Signed) John Macpherſon,
(Signed) John Stables.") (*a*)

" Fort William,
3d March 1783.

Then the Counſel for the Defendant requeſted that an Extract of the Letter abovementioned from Mr. Briſtow to the Board, dated the 1ſt December 1782, might be read.

The ſame was accordingly read from the ſame Conſultation, beginning at Page 253, of the ſame Book.

§ (" Major Gilpin, with One Battalion, has been ſtationed at Fyzabad, for the Purpoſe of ſupporting the Vizier's Claim againſt the Begum for the Recovery of his Patrimony depoſited in her " Charge. I applied to the Vizier immediately upon my Arrival, for his Conſent to withdraw this " Battalion, ſeeing little Probability that violent Meaſures would effect any further Payments. I " propoſed to him, to truſt to her Generoſity for the Liquidation of the Balance, which was about " Five Lacks. The Vizier would not at that Time acquieſce in my Propoſal, but determined on " making one more Effort previous to leaving it in her Diſcretion to prolong the Term of Payment; his Excellency accordingly addreſſed a Letter to the Begum, conveying his Senſe of her " evading the Performance of her Engagements, in very harſh Terms; and threatening in caſe of " Non-compliance with them, that her Eunuchs ſhould continue in Confinement, and Means be " taken to recover the Money from her, as the Company would never be ſatisfied without it: The " Begum in reply repreſented her Inability, having paid away all the Treaſure ever entruſted to her " Charge by the late Vizier; but if the Eunuchs were enlarged, ſhe might, with their Aſſiſtance, " be enabled to raiſe the Money upon Credit. On his Excellency's receiving this Anſwer, I renewed " my Solicitations for Permiſſion to withdraw the Battalion, reſting the Matter upon the Begum's " Promiſe of diſcharging the Balance when her Eunuchs ſhould be releaſed: I was induced to this " Meaſure by the Repreſentations of Major Gilpin, who had been employed in the Buſineſs from " the Commencement; his Opinion, aſſerting that every practicable coercive Exertion had been " uſed, I beg leave to ſubmit to you in the encloſed Copy of his Letter to me on the Subject. " The Vizier at length acquieſced in the Battalions being withdrawn; for which I was the more " anxious, as your Inſtructions to me diſapprove of Detachments, and the State of Affairs re" quires the Appearance of a formidable Force on the Frontiers.") (*a*)

" Lucknow, the 1ſt December 1782. (At the End) John Briſtow,
Reſident at the Vizier's Court."

The Witness directed to withdraw.

(*a*) Vide Appendix, N° LXXXVI.

Read,

Read, a further Extract of the Letter of the 3d March 1783, from the Board to Mr. Briſtow; from the ſame Book, and ſame Conſultation, beginning at Page 304 of the ſame.

(Agreed that the following Letter be written to Mr. Briſtow.

" To Mr. John Briſtow.

" Sir,

" Having received and taken into our Conſideration the following Letters from you, we ſhall now tranſmit you our Sentiments and Orders upon them.

23d November.
1ſt December.
11th Ditto.
19th Ditto. Two Letters.
20th Ditto.
30th Ditto.

(At the End) (Signed) Warren Haſtings,
(Signed) Eyre Coote,
(Signed) Edw[d] Wheler,
(Signed) John Macpherſon,
(Signed) John Stables.") (*a*)

" Fort William,
3d March 1783.

§

Then the Managers for the Commons deſired an Extract might be read from a Conſultation of the 12th of May 1783.

Read, the following Extract, from Book 80, beginning at Page 634 of the ſame Book.

" Fort William, the 12th May 1783.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler, } Eſquires.
John Macpherſon, }

" The Governor General lays before the Board the following Letters from Mr. Briſtow to him, dated 12th December.

" To the Honourable Warren Haſtings Eſquire, Governor General.

" Honourable Sir,

" Your Inſtructions of the 23d October have been the invariable Rule of my Conduct; and now I have held my Office a ſufficient Time to ſpeak with ſome Degree of Certainty to moſt Points, I ſhall enter upon an Explanation of the State of this Government.

Your Obſervation, that your new Meaſures will require a long Time to execute, is but too true. The total Want of Syſtem, and lawleſs Habits which prevail, muſt be corrected by progreſſive Means; the Peace and Security of the Country, and Regularity in the ſeveral Departments of the State, will be gradually eſtabliſhed. I beg leave to anſwer the ſeveral Heads of your Inſtructions in the ſame Order in which you have placed them.

First Head. Balance and Aſſignment.

" Immediately after my Arrival I urged the acting Miniſter to deviſe and recommend Arrangements for the complete Diſcharge of the Balance at the Concluſion of the Year. To relieve myſelf from Cenſure in caſe of Failure in this eſſential Point, it is neceſſary I ſhould explain the Tranſaction with the Bankers. The Balance at the End of laſt Year was not in fact paid, but transferred to the Bankers, and encreaſed by the Load of a very high Intereſt. There were Two diſtinct Engagements;

One for Bills immediately granted on the Preſidency for — — 26,50,000
Another for Teeps promiſing Bills, to be delivered by Inſtallments at the following Periods, and in the following Proportions, viz.

Bhaudun — — —	1189	—	6,50,000
Cooaur — — — —	1190	—	6,50,000
Cautick — — — —	D°	—	6,50,000
Aughun — — —	D°	—	6,50,000" (*b*)

Then the Managers for the Commons deſired Mr. Middleton might be called in.

(*a*) Vide Appendix, N° LXXXVI. (*b*) Vide Appendix, [redacted]

Then

Then NATHANIEL MIDDLETON, Eſquire, was again called in, and examined as follows.

Q. To whom did you deliver the Priſoners Bahar and Jewar Ali Kawn, at Fyzabad?
A. I believe, to Major Naylor, but I am not quite certain.

Q. Did you give any Written Orders to Lieutenant Rutledge upon that Occaſion?
A. Certainly, Written Orders were given when the Priſoners were delivered up.

Q. Do you recollect what thoſe Orders were?
A. I do not particularly.

Q. Try to recollect them; they are very ſhort; you have been reminded of them.

The Counſel for the Defendant objected, that as the Orders were ſtated to be in Writing, the Inquiry ſhould be what was become of that Writing, before the Witneſs was aſked as to his Memory of them.

The Witneſs was aſked;

Q. Where are thoſe Orders now, do you know where they are?
A. Not the Original Orders—a Copy of them is no doubt in the Office at Lucknow.

Q. Do you know whether they are in your Letter Book?
A. I do not know whether they are.

Q. Whether this is the Purport of the Order; "Sir, when this Note is delivered to you by Hoolas Roi,———

The Counſel for the Defendant objected to the Queſtion.

Q. Can you recollect what was the Purport of your Orders?
A. Upon this Queſtion, I muſt beg Leave to throw myſelf upon your Lordſhips Indulgence: My Conduct at Fyzabad ſeems to have met with the Diſapprobation, not only of the Honourable the Houſe of Commons, but of the Perſon from whom I was deputed to conduct that Buſineſs.—I do conceive I am more particularly charged, with reſpect to the Proceedings at Fyzabad, than even Mr. Haſtings himſelf.—I ſhall therefore hope, if it ſhall ſo appear to your Lordſhips, that I may be excuſed anſwering any Queſtions with reſpect to that Buſineſs, which may tend to criminate myſelf.

Q. Whether or no you did not aſſiſt Mr. Haſtings in his Firſt Defence in the Houſe of Commons, and give him Information with reſpect to the Tranſactions at Fyzabad?
A. I have already informed your Lordſhips, how far I did aſſiſt; I certainly did give him every Information that occurred to me reſpecting the Affairs of my Department.

Q. But particularly with reſpect to the Tranſactions at Fyzabad?
A. To the Affairs of Oude, in general.

Q. (*by a Lord.*) Did you, or not, give him Information particularly with reſpect to the Affairs of Fyzabad?
A. No Doubt, the Information reſpecting the Affairs of Fyzabad, was one Part of the Information.

Q. Did Mr. Haſtings, when you informed him reſpecting the Affairs of the Begums, and the Miniſters, at Fyzabad, expreſs his Diſapprobation to you at that Time?
A. I do not recollect ever making any particular Communication to Mr. Haſtings upon that Subject. With reſpect to the Begums Miniſters, the Eunuchs, it is under that Conſtruction, I conceive, that I am more particularly criminal in that than in any Thing elſe, becauſe it is One of the few Inſtances in which I uſed my own Diſcretion; if there is any Criminality in that Affair, I conceive that Criminality will attach to me more than to Mr. Haſtings.

Then the following Paſſage was read, from the Preface to the Defence of Mr. Haſtings at the Bar of the Houſe of Commons.

"Before I proceed to reply to the Charges reſpecting my Conduct to the Begums, and on the Affairs of Oude, I muſt obſerve, that they contain Particulars of which I was totally ignorant, till I read them in the Charges. I am therefore very much indebted to the Aſſiſtance of Mr. Middleton, and to the Information of Gentlemen who were in Oude when the Tranſactions alluded to happened (*a*)."

Then the following Queſtion was put to the Witneſs:

(*a*) Vide ſupra, Page 413.

Q. Whether,

Q. Whether, among the Circumſtances which Mr. Haſtings gathered, and for which he here thanks you, you did not inform him of the Treatment of the Eunuchs, and of the Diſtreſſes of the Women in the Khourd Mahl, and of thoſe other Particulars to which Mr. Haſtings replies in his Anſwer to the Charges?

A. I really do not recollect the Particulars of my Information to Mr. Haſtings; they certainly contained every Thing that occurred to my Mind upon the Affairs in which I had been concerned.

Q. Mr. Haſtings alſo ſays, in his Defence, "My laſt Orders therefore for its Execution, is all that I am anſwerable for; the reſt depended upon the Inſtruments which were employed in it; and ſo little on myſelf, that I was ignorant of the whole Mode of its Execution, till it was done:" (*a*) Recollect whether you did, or did not, conceal from Mr. Haſtings all thoſe Circumſtances, or whether you communicated them to him?

Q. (*by Counſel.*) Whether the Communication was in Writing?

A. It was.

Q. (*by the Managers.*) Do you know whether you communicated all thoſe Circumſtances?

A. I believe I did, but I cannot be certain that I did; but all the Communications I made upon that Subject were certainly in Writing.

Q. Do you mean to ſay, that all your Communications to Mr. Haſtings upon this Subject ſince you came to England have been in Writing? Have you communicated to Mr. Haſtings otherwiſe than by Writing the Paſſages reſpecting Fyzabad?

A. I do not believe I have, but it is very poſſible that in Converſation I might mention thoſe Paſſages; but I do not recollect particularly that I communicated thoſe Circumſtances, but in Writing.

Q. Mr. Haſtings, in his Reply to the Charges of the Houſe of Commons, does ſay, that ſince he has been in England, you have communicated to him ſeveral Circumſtances upon this Subject, of which he was totally ignorant before. Do you recollect having made that Communication to Mr. Haſtings, ſince you came to England?

A. Nothing further than what I have already informed your Lordſhips of.

Q. What have you informed us of?

A. Of the Informations I gave Mr. Haſtings in Writing.

Q. Was there no verbal Communication?

A. I beg leave to refer to the Anſwer I have before given to that Queſtion; I cannot pretend to ſay, that I may not have converſed with Mr. Haſtings upon the Subject, though I declare, if I ever did, it is ſo ſlight, that it has entirely eſcaped my Memory: I do not recollect, ever profeſſedly converſing with Mr. Haſtings upon the Subject; if I ever had any Converſation with Mr. Haſtings upon the Subject, it has been in Company, as a general Converſation, and not any Thing in particular between him and myſelf.

Q. Whether you did or did not aſſiſt Mr. Haſtings, or his Agents, in drawing up his Anſwer to the Charges of the Houſe of Commons?

A. I have already confeſſed, I did furniſh Mr. Haſtings's Agent—as he is called—Major Scott, with all the Information in my Power, upon the Affairs of Oude.

Q. Then in furniſhing him with Materials upon that Subject, did you or did you not communicate the Circumſtances in Queſtion, with reſpect to the Treatment of the Eunuchs and of the Begums?

The Queſtion was objected to.

Then the preceding Queſtion and Anſwer were read by the Clerk, and the following Queſtion was put to the Witneſs:

Q. Whether the Treatment of the Begums and the Eunuchs at Fyzabad, and the Women in the Khourd Mahl, did not make a Part of that Information which you gave to Major Scott?

A. The Treatment of the Eunuchs, I am pretty ſure, did make a Part of the Information given to Major Scott.—With reſpect to the Treatment of the Women in the Khourd Mahl, I am not ſo certain, I do not believe it did.

Q. Therefore, when you ſaid you made no Communication to Mr. Haſtings upon the Subject, you did not mean to include in it his Agents?

A. I meant to ſay, I had no particular verbal Communication either with Mr. Haſtings or his Agents.

(*a*) Vide ſupra, Page 417, 5th Line from the Bottom.

Q. Were

Q. Were the Communications made to Major Scott in Writing?
A. Yes.

Q. Do you mean to ſay you had no Converſation with the Agents?
A. I cannot ſay that I might not have had Converſation with them too, upon the ſame Subject; but my Communications to Major Scott were in Writing, and very full to every Point that I could give him Information upon.

Q. Whether you had not read the Charges of the Commons before you gave any Aſſiſtance to Mr. Haſtings in anſwering them?
A. No Doubt, I had.

Q. Did you omit to inform Mr. Haſtings, or his Agents, of any Tranſaction within your Knowledge, relative to the Matter of the Charge?
A. It is impoſſible for me to ſay whether my Informations to Major Scott were complete, or not. I gave him ſuch Informations as occurred to me at the Time relative to the Affairs of Oude.

Q. And not meaning to conceal any Thing?
A. Not meaning to conceal any Thing.

Q. Whether, upon the Communications made by you, Mr. Haſtings then expreſſed a Diſapprobation of any Part of thoſe Tranſactions?
A. I do not know he did; he did not to me.

Q. Then when was it you learned that you was ſo unfortunate as to have your Conduct, in that Tranſaction, diſapproved by Mr. Haſtings?
A. My Conduct at Fyzabad was One Article of the Charge, made againſt me by Mr. Haſtings and the Council at Calcutta.

Q. Whether any Part of that Charge made againſt you by Mr. Haſtings was, that you had uſed too much Severity; or, on the contrary, that you had uſed too much Lenity and Forbearance, upon that Occaſion?
A. I would wiſh to refer to the Charge itſelf, and to Mr. Haſtings's Letter upon the Subject.

Q. *(by a Lord.)* You are underſtood to have ſaid, you acted from yourſelf at Fyzabad, and that the Courſe of your Conduct was not communicated to Mr. Haſtings in Oude:—Do you remember particularly the Letter that you wrote to Mr. Haſtings upon the 5th of February 1782?
A. Not particularly.

Then a Paper was ſhewn to the Witneſs, who ſaid:

Yes; I recollect it certainly.

Q. Do you wiſh to correct your former Anſwer?
A. I perceive it does ſtate generally, that the Begums Miniſters had been impriſoned.

Q. You ſaid, you acted from your own Diſcretion; that your Conduct had been diſapproved, and that the Treatment of them had not been diſcloſed: Now the Information in this Letter is, that the Miniſters had been impriſoned, and in Irons?
A. The Obſervation I wiſh to make upon that Letter is, that it is a conſiderable Time after the Tranſactions, when I ſaid that I had uſed my own Diſcretion; it was at the Time of executing the Meaſures at Fyzabad. I recollect very well, writing ſeveral Letters to Mr. Haſtings on the Subject; and no Doubt, that ſome of them muſt generally have related to the Proceedings at Fyzabad.

Q. Whether, at any, and at what Time, Mr. Haſtings expreſſed his Diſapprobation of thoſe Tranſactions to you?
A. Not of the particular Tranſaction with reſpect to the Eunuchs, but of my Conduct and Proceedings in general at Fyzabad.

Q. You did not, in your Defence to that Accuſation, ſtate that "wherever Force could be uſed it had not been ſpared,"—that the Begum had been "reduced to the Mercy of the Nabob," and that "her Miniſters were in Irons." Do you remember the Tenor of your Defence to that Charge?
A. I certainly do remember that that is the Tenor; but for more Accuracy, I wiſh to refer to the Anſwer itſelf.

To ſhew that Mr. Haſtings approved of the Treatment of the Begums when it was communicated to him,

Read the following Extract from the Minutes of Major Scott's Evidence at the Bar.

"Q. After the Time of your having read that Introduction to Mr. Haſtings, do you recollect whether he added any Thing to the Defence?

" A. There is a particular Paſſage, which I am clear muſt have been added by Mr. Haſtings. The Paſſage I was going to read to your Lordſhips was added by Mr. Haſtings: 'I have conducted the Narration of the preceding Detail to its Cloſe, without chuſing to interrupt it, or to 'diſturb the Attention of my Honourable Hearers, by the concluding Obſervation which I now 'think it neceſſary to make upon it—becauſe I held the whole Series of the Acts thus connected 'ſtrictly reconcileable to Juſtice, Honour, and good Policy, whoever were the Parties concerned in 'them." (*a*)

Q. You ſtate you read the original Charges. Whether you gave any Authority to Major Scott to deny your having given this Order to Lieutenant Francis Rutledge:

" Sir,

" When this Note is delivered to you by Hoolas Roy, I have to deſire that you order the Two Priſoners to be put in Irons, keeping them from all Food, &c. agreeable to my Inſtructions of Yeſterday.

(Signed) " Nathaniel Middleton."

Did you give any Authority to Major Scott to deny your having iſſued any ſuch Orders?

A. I certainly gave no ſuch Authority to deny it; but I moſt humbly entreat your Lordſhips will conſider the Predicament in which I ſtand: Theſe do appear to me, to be leading Queſtions, of the ſame Tendency as the Firſt Queſtion; and I hope your Lordſhips will allow me Permiſſion to decline anſwering them.

Q. Whether Major Palmer, when he was at Lucknow, was not in conſtant Correſpondence with the Governor General?

A. I underſtood ſo.

Q. Did you know Major Davy?

A. Yes, I did.

Q. Was he not at Lucknow, at the ſame Time, or the greateſt Part of the Time, Major Palmer was there?

A. He came with Major Palmer there: he ſtaid, I think, but a few Days; not many Days.

Q. In what Character did he come with Major Palmer?

A. By the Letter of Mr. Haſtings to me, or in Major Palmer's Inſtructions, he is mentioned as Major Palmer's Aſſiſtant; I knew him in no other Character at Lucknow: in one of thoſe Letters, or in Major Palmer's Inſtructions, I certainly have ſeen him mentioned as his Aſſiſtant.

Q. Did not Major Davy return again to Lucknow, after he had left it the Firſt Time?

A. I believe not, to the Beſt of my Recollection he did not.

Q. Do you think it poſſible, that any Matter of material Conſequence could have happened, reſpecting either the Begums, their Miniſters, or the Nabob's Government, without its being communicated either by you, Major Palmer, or Major Davy, to Mr. Haſtings?

A. I ſhould apprehend not; I ſhould think it moſt likely, that they would have been communicated.

Q. Was the Nabob in the City of Fyzabad, when the Kella was ſtormed, and the Eunuchs taken Priſoners?

A. He was not.

Q. Where was he at that Time?

A. He was near the Town of Fyzabad, encamped in a Place called the Rumna.

Q. To whoſe Cuſtody did Bahar Ali Khan, and Jewar Ali Khan deliver themſelves?

A. May I be permitted to aſk, if that is not a Queſtion of the ſame Tendency with the one that was firſt put to me; if not, I am ready to anſwer it.

Q. Do you know into whoſe Cuſtody they were delivered?

A. They either ſurrendered themſelves, or were delivered into the Cuſtody of the Nabob.

Q. How long did they remain in the Nabob's Cuſtody?

A. A very ſhort Time.

Q. Relate whoſe Cuſtody they came into afterwards, and by what Means?

A. I am ſorry to be obliged to recur to your Lordſhips Indulgence again upon this Subject; I beg that I may be informed, through your Lordſhips Indulgence, whether I am obliged to anſwer that Queſtion.

(*a*) Vide ſupra, Page 376.

The Managers for the Commons ſtated, that they were confident the Houſe would not admit as a Reaſon for a Witneſs's declining to anſwer, his merely ſaying he conceived it would criminate himſelf.

The Witneſs ſaid,

I am juſtified in my own Opinion moſt clearly; I am clearly of Opinion, that the Eunuchs were certainly guilty of the Crime alleged againſt them: But my Conduct in another Place has not been conſidered in the ſame Light in which I conſidered it myſelf; and upon that Ground I conceive I am juſtified in making the Objection.

Q. What other Place do you allude to?
A. I mean by the Honourable Managers.

Q. Will you ſwear that, to your Knowledge and Belief, the Nabob had any Will of his own upon any Meaſure of Importance at that Period?
A. I cannot doubt but he had.

Q. Any Will that he could carry into Effect. Was he in a Situation to carry his own Purpoſes into Effect?
A. I have no Doubt but he was.

Q. Did you frequently directly contradict the Will and Inclination of the Nabob?
A. I have done it on certain Occaſions moſt undoubtedly; ſometimes with Succeſs, and ſometimes I have failed.

Q. Name an Inſtance in which you failed?
A. I could, with a very little Recollection, name a great Number of Inſtances; but in general I certainly did uſe all the Influence in my Power to prevent thoſe People, who have been diſtinguiſhed in this Houſe as the Orderlies, from having great Collections and great Commands about the Nabob, conceiving them to be very improper Perſons for ſuch a Truſt; but I never was able to ſucceed, in any One of the Inſtances in which I interfered with reſpect to thoſe People.

Q. Did you, upon any Occaſion, iſſue your own Perwannahs in the Nabob's Country?
A. In One Inſtance I did go ſome Length in iſſuing my own Perwannahs, which is in Evidence before your Lordſhips.

Q. Was that Inſtance againſt the Will of the Nabob, or with it?
A. It appeared to be againſt the Will of the Nabob.

Q. Did you think yourſelf authorized to place any Perſon upon the Nabob's Liſt, for Penſions or Gratuities after the Treaty of Chunar?
A. Upon my own Authority?

Q. Yes.
A. No; certainly not.

Q. Upon whoſe Authority did you do it?
A. Is the Fact eſtabliſhed that I did do it?

Q. Did you ever do it?
A. I do not know I did.—No; certainly I did not.

Q. It is in your own Evidence that you did do it. With reſpect to the Communication made with Mr. Haſtings reſpecting Perſons to be placed privately upon the Nabob's Penſion Liſt, you ſaid you had not received a written Order from Mr. Haſtings, but that it was a verbal Communication, that the Names were given to you verbally?
A. I recollect it; and I believe it will be found, by recurring to that Evidence, that it meant Perſons who were to ſtay at Lucknow. I do not recollect it mentions a ſingle Word about Penſions.

Q. Recollect whether you did or did not receive any Inſtruction, Direction, or Communication, from Mr. Haſtings, reſpecting any Perſons continuing to receive Penſions, or Gratuities, after the Treaty of Chunar?
A. I am very ſorry to have Occaſion to throw myſelf on your Lordſhips Indulgence again: This is a Queſtion which certainly muſt criminate myſelf; if I did receive ſuch Orders, or acted upon them; or without acting upon them, if I did not diſcloſe them to my Superiors, I was clearly criminal.

Q. The Queſtion now is, Whether you did receive any Orders to that Effect?
A. If I did receive them, and did not diſcloſe them, I believe it will be found I certainly was criminal in that reſpect.

Q. Whether you did not receive Inſtructions from the Board, whom you ſtate as your Superiors, and to whom you was bound to communicate every Thing, to obey Mr. Haſtings's Orders as clothed with the Authority of the whole Council?
A. Certainly, during his Continuance in the Upper Provinces.

Q. Then

Q. Then whether you did not receive ſuch Orders from Mr. Haſtings?
A. May I aſk what Orders?

Q. To continue any Perſons whatſoever upon Penſions, or Gratuities, after the Treaty of Chunar?
A. I really do not recollect that I received any Orders from Mr. Haſtings upon the Subject. I certainly have mentioned, that I received a Communication from Mr. Haſtings in Converſation, mentioning the Gentlemen that were to remain at Lucknow.

Q. Whether, according to the beſt of your Recollection, you have not received ſome Orders or Communications, reſpecting Perſons to continue upon Penſions or Gratuities after the Treaty of Chunar?
A. I really do not recollect I did; but I muſt again obſerve, that if I did receive them, and did not diſcloſe them, I was criminal in ſo doing; if I am not ſo, I wiſh to be informed by your Lordſhips. According to my own Conception, I am criminal in receiving ſuch Order without diſcloſing it.

Q. Did you receive the Orders or not?
A. I do not recollect I received any Orders, but I believe I have occaſionally received Recommendations from Mr. Haſtings.

Q. Whether you did not receive ſome of thoſe Recommendations before you parted with Mr. Haſtings at Chunar?
A. I rather think I did.

Q. Where was the Money, which was ſeized of the Begums Treaſure at Fyzabad, found; in what Houſes, or where dug out?
A. It was found in the Houſes of the Two Eunuchs.

Q. By whom was it found?
A. By the Nabob's Agents.

Q. Do you know who thoſe Agents were?
A. I cannot ſay at this Time that I recollect the Names of them: His principal Agent went with Major Naylor, when he went into the Town, and continued there as the Nabob's Manager or Governor of the Town for a Number of Days.

Q. To whom was the Money brought, when it was found?
A. It was brought to the Reſident.

Q. To you?
A. Yes; in conſequence of an Order from the Nabob.

Q. Whether Jewar Ali Khan had a fine Houſe and Garden at Fyzabad?
A. I do not recollect ever to have been in his Houſe, or in his Garden.

Q. Whether Bahar and Jewar Ali Khan were Men of Wealth, and great Property?
A. They were ſuppoſed to be ſo; I had no Opportunity of aſcertaining the Fact.

Q. By what Means did you know, that the Treaſures, dug out of the Miniſters Houſes, were not their Property, but the Property of the Begums?
A. I had certainly no Means of aſcertaining whoſe Property they were; I took it for granted they were the Begums Property, becauſe they ſaid ſo.

Q. To whom did they ſay ſo?
A. They pointed out the Places where the Begums Treaſures were lodged; ſuch as were under their Cuſtody, belonging to the Begums; they pointed out the Places where they were concealed.

Q. They pointed them out as the Begums Treaſures?
A. Yes.

Q. To whom did they point them out?
A. To the Nabob's Agents.

Q. Do you mean, while you were at Chunar; the Firſt Delivery of the Money?
A. No; while I was at Fyzabad.

Q. Do you mean, the Firſt Delivery of the Money?
A. It was while I was at Fyzabad.

Q. Was that the Time you are ſpeaking of, that they were pointed out as the Begums Treaſures, to the Nabob's Servants?
A. Yes.

Q. Were the Miniſters, frequently afterwards, preſſed and threatened, to oblige them to diſcover the Places where the Begums Treaſures were concealed?

A. I hope your Lordſhips will permit me to decline anſwering that Queſtion, as a Part of the former Examination.

Q. To whom was the Bond of the Begum's Miniſters for paying the Balance given. Do you know of any Bond given by the Begum's Miniſters?

A. It was given to the Nabob's Miniſters, in the Name of the Reſident, for ſo much Money to be paid to the Reſident on account of the Nabob. The Bond was taken from the Eunuchs for the Nabob's Miniſter.

Q. Who was the Obligee in the Bond; to whom did they ſtand bound by that Bond; was it in the Form of an Engliſh Bond, or any thing like it?

A. It was a Perſian Paper.

Q. To whom was the Contract made?

A. To the Reſident.

Q. To whom did you aſſign that Bond? Was it aſſigned?

A. It never was aſſigned to any Body that I know of.

Q. Was no Security received by you upon that Tranſaction, made over afterwards by you to Gopaul Doſs?

A. No, not that I recollect.

Q. Do you remember writing a Letter to Mr. Briſtow upon your leaving the Reſidentſhip?

A. Yes; I do.

Q. Do not you recollect ſtating, that Gopaul Doſs did hold ſome of the Securities you had of the Begums Miniſters?

A. I believe not; there were never any Securities given by the Begums Miniſters but what I have ſpoken of.—It might be poſſible that Gopaul Doſs might have had a Promiſe, that the Balance that remained due from Fyzabad ſhould be paid to him; I have ſome Recollection of that, and ſuppoſe that may be alluded to in my Letter, but I wiſh to refer your Lordſhips to the Letter itſelf.

Q. Was not the Balance or ſome Securities for it remaining, which the Begum made over to Gopaul Doſs. Do you remember whether the Balance, or ſome Security for it, was made over to Gopaul Doſs?

A. I have juſt ſaid, that I think the Balance due from Fyzabad was in ſome Manner or other made over as a Security to Gopaul Doſs, but that will appear more accurately by the Letter.

Q. Can you account in what Manner the Money had been advanced by Gopaul Doſs, for which he was to receive that Security?

A. That will alſo appear by the Letter.

Q. Whether any, and what Means, were taken by you, while the Miniſters were in Confinement, to inſtitute an Enquiry concerning their ſuppoſed treaſonable Practices?

A. There were none taken by me.

Q. Or any reſpecting Shumſhire Khan?

A. None. I muſt beg leave to notice, that I have been all along under a Miſtake with reſpect to the Continuance of Shumſhire Khan under Confinement at Fyzabad. When I was examined upon that Subject before the Honourable Committee of the Houſe of Commons, I expreſſed myſelf very doubtfully, but I rather thought that he had been releaſed. I was confirmed in that Idea, from never having ſeen his Name mentioned, from the Time he was put into Confinement at Fyzabad, until it was mentioned in the Houſe of Commons. It was neither mentioned in Major Gilpin's or Captain Jaques's Letters, or any other that I recollect. By never having his Name mentioned, from the Time of his being put into Confinement at Fyzabad, till it was mentioned in the Houſe of Commons, I did not find out my Miſtake till a few Days ago, on converſing with Major Gilpin, who informed me he had been releaſed by him at the ſame Time with the other Two Priſoners; and the ſame Evidence afterwards delivered by Major Gilpin at your Lordſhips Bar ſerved to confirm that I had been in that Miſtake.

Q. Whether you omitted any Means whatever to diſcover the Treaſures?

A. I apprehend not: That depended a great deal more upon the Nabob's Agents in that Buſineſs, than upon myſelf: I apprehend every Means were taken to diſcover the Treaſures.

Q. Whether you can account for ſome Leaves being torn out of your Letter Book D, exactly at the Time where that Order to Lieutenant Rutledge to take Charge of the Miniſters, and which has been read, ſhould have appeared in the Book?

A. I cannot.

Q. When you went to Fyzabad to aſſert the Nabob's pretended Right to the Treaſures in Poſſeſſion of the Begums, what Requiſition you made upon the Begums for Money?

A. I

A. I made none.

Q. What Requiſition was made upon the Part of the Nabob:—Do you know?

A. I have heard that it was to a much larger Amount than was agreed for; but I have heard it only by Report: I cannot ſay that I know exactly what Amount the Nabob did demand, but I have heard that it was much more than was afterwards agreed for.

Q. Do you recollect what Sum?

A. I think I have heard that the Nabob went there with a Determination to demand a Crore of Rupees; but I cannot pretend to ſay that was the Fact.

Q. Do you know what Anſwer was made to that Requiſition?

A. No; I do not.

Q. How came you to take ſo little Concern in the Quantity of a Demand, the Whole of which, when recovered, was to be applied to the Uſe of the Company? Was the Whole of the Demand, when recovered, to be applied to the Uſe of the Company?

A. It was, unleſs it had exceeded the Amount of the Company's Claim on the Nabob.

Q. Then how came you to pay ſo little Attention to the Amount of the Demand?

A. It was the Concern of the Nabob and of his Miniſters more than mine certainly; I was to receive from them whatever they did recover from the Begums.

Q. Was not the Amount of that Sum a Matter of great Concern to you?

A. Not perſonally—to my Employers certainly.

Q. Recollect whether any Anſwer was made to that Requiſition ſaid to be made by the Perſon called the Nabob?

A. I really do not recollect; if I have heard it, I certainly have forgot what the Anſwer was.

Q. If the Nabob's Demand was for a Million, as the Effects of his Father, do you know how he came to be ſatisfied to receive a leſs Sum?

A. No, I do not.—It was a Matter of Agreement between the Nabob and the Begums themſelves, to which I was no Party. The Part of my Duty was only to receive from the Nabob, in behalf of the Company, whatever he ſhould tender of the Begums Treaſures.

Q. Was not the Begum's Bond, or that of her Eunuchs, in the Firſt Inſtance, given to the Reſident, and not to the Nabob?

A. I have mentioned that it was given in the Name of the Reſident: A ſpecific Sum was agreed to be paid by the Begum to the Nabob, and the Nabob agreed that that Money ſhould be paid over to the Company, in diſcharge of his Debt to them.

Q. Whether the Begum's Bond was not, in the Firſt Inſtance, given to the Reſident; and how ſoon after the Storming of the Kella?

A. Very ſoon; a few Days afterwards; I cannot ſpeak to a Day; It was not a Bond of the Begums, but an Engagement of the Eunuchs, to pay ſo much on account of the Begums.

Q. Where is that Bond?

A. I believe it was left in the Office at Lucknow; I am not certain.

Q. Who put it in the Office. Did you leave it in the Office?

A. I have no Doubt I did; or it might be left with the Nabob's Miniſter; I cannot ſay.

Q. Was that Bond ever completely diſcharged?

A. Not while I ſtaid there.

Q. How came you to be ſo indifferent about the Diſpoſition of a Bond, a conſiderable Balance on which was due, and which was for the Benefit of the Company?

A. Certainly, I was not; if it was left in the Office at Lucknow with my Succeſſor, that was undoubtedly the proper Place for it. I take it for granted it was left there, or in the Hands of the Nabob's Miniſter.

Q. Are you ſure of that Alternative? Can you recollect certainly, whether it was left in one, or other, of thoſe Cuſtodies?

A. I cannot certainly.

Q. Then you know nothing of it with Certainty?

A. No.

Q. At what Time was the Money dug out of the Houſes of the Miniſters Jewar and Bahar Ali Khan, and paid to you?

A. Very ſoon after they ſurrendered themſelves to the Nabob, a Part of it was. It was many Days in digging out, and bringing to the Rumna, where I was encamped with the Nabob.

Q. How

Q. How many Days?

A. I really cannot ſay to a Day, or even to Two Days, but ſeveral Days; poſſibly a Fortnight; I cannot ſay.

Q. Was the Bond given before the Delivery of the Treaſures, or afterwards?

A. Before, to the Beſt of my Recollection.

Q. Are you ſure of it?

A. I have no Doubt but it was: The Bond was for a certain Sum of Money; and they began paying immediately after they gave the Bond.

Q. As you received the Bond for a ſpecific Sum of Money; upon what Principle was that ſpecific Sum fixed, as the Limit of the Nabob's Demand; do you know?

A. No, I do not indeed.

Q. Whether you enquired, when the Begum's Treaſures were delivered, whether they were delivered as the Whole of the Treaſures of the late Nabob, or only as a Part?

A. I had no Means of enquiring, but from the Nabob and his Miniſters: They certainly affirmed, that the Begums declared they were the Whole of the Treaſures that they had; I know very well, that both the Nabob and his Miniſters thought otherwiſe.

Q. What Means were uſed, to make the Eunuchs deliver up this particular Treaſure?

A. With great Submiſſion, may I not treat that as a Queſtion of the former Tendency?

Q. Had you any thing to do with the Proceſs of recovering the Money?

A. Certainly, I had.

Q. Whether the Money was not paid and delivered in the Original Specie, in which it was found in the Houſes of the Miniſters?

A. It was.

Q. Was it received according to the Account of the ſeveral Years, the Value the Money ſtood at in the ſeveral Years, in which it was iſſued in Diſcharge of the Bond?—Do you underſtand the Nature of the Queſtion?

A. I believe I do. The Bond was given for a ſpecific Sum of a certain Species of Rupee, of Fyzabad Rupees, or Lucknow Sicca Rupees, I forget which, it was one of them; and the Money that was received was of a Coinage of ſeveral Years back; it could therefore only be received as Bullion, which is the uſual Way of receiving it. The new Coinage alters every Year, therefore the Batta upon the Rupees, as they were received, was calculated, and the Nabob credited for the actual Sum that they realized in the Diſcharge of the Bond.

Q. As the Treaſure was received as the ſpecific Property of the Nabob in Right of his Father, upon what Pretence did you make a Demand for ſhort Weight?—Did you make any Demand for ſhort Weight?

A. I have informed your Lordſhips what the Courſe of my Proceeding in that was, the Engagement of the Begum to the Nabob was for a ſpecific Sum of Money in a certain Rupee, either Fyzabad or Lucknow; therefore I could only give Credit for what I received according to that Rupee.

Q. How came you to take a Bond for a ſpecific Sum, to be paid according to the Shroffage of the Country, on account of the ſpecific Treaſures ſuppoſed to be lodged with them, and belonging to the Nabob?

A. I took what was given to me; the Negociation or Agreement, or whatever it was, was ſettled by the Nabob himſelf; I had nothing to do with it.

Q. Then you declare upon your Oath, that you knew nothing at all of the Tranſaction concerning this Bond, before it was put into your Hands, though made to yourſelf?—Did you or not know any Thing of the ſettling of the Quota of the Bond, before it was put into your Hands?

A. In all Probability I did; I was acquainted probably, from Time to Time, of the Progreſs of the Negociation; but I cannot be certain that I was.

Q. Recollect and ſay, whether you are not certain, that you was well acquainted with the previous Negociation which ended in giving this Bond?

A. I cannot be certain that I was.

Q. Are you certain you were not?

A. I have not a perfect Recollection about it, either one way or the other, but it is moſt likely that I was acquainted with it.

Q. What did you do with the Money which you thus received?

A. After being ſhroffed, it was appropriated to the publick Service.—Colonel Muir, who was in the Mahratta Country at that Time with the Britiſh Army, was very conſiderably in Arrears; and, as I underſtood at the Time, was ſtopped there for the Want of the Pay of his Troops:—

The Firſt Money that could be realized from this Negociation was ſent to him. There was alſo a conſiderable Sum of Money ſent to Colonel Morgan, who commanded the Britiſh Brigade at Cawnpore, which was alſo conſiderably in Arrears. There was alſo a further Sum ſent to Colonel Sir John Cumming, who commanded at Farruckabad, for the Payment of the Arrears due to his Troops.

Q. Did you ſend it to thoſe Officers as mere Bullion, upon the ſame Principle on which you received it; or did you ſend it in any other Manner of Computation?

A. I have no Doubt that ſome of it was ſent exactly in the Manner that I received it; For, as well as I recollect, it was diſpatched from Fyzabad almoſt as ſoon as it was received.

Q. Was it diſpatched, and the Paymaſters debited with it, as Money or Bullion?

A. The Rupees conſiſted of various Sorts; they were debited for the Rupees, with the Batta or Difference upon each ſpecific Rupee, to make it up equal to the Fyzabad Rupee, in which our Accounts were kept.

Q. Who was debited with the Batta?

A. The Rupee was rated in the Account with a Batta upon it.—The ſpecific Rupee was mentioned, and had the Batta aſcertained according to an Aſſay Table, which was lodged at my Office at Lucknow, for a Rule in my Tranſactions with the Vizier.

Q. Was the Officer debited with the Batta, as well as with the Bullion?

A. I am afraid I have not made myſelf perfectly underſtood:—The Mode of the Account was this; firſt of all, the ſpecific Rupee was ſtated, ſo many Rupees of ſuch a Sicca for ſuch a Year; and then the Batta according to the Aſſay was deducted, or added, and the Net Sum was then carried out into a Column: The Paymaſter of the Troops was debited for the Net Sum in Fyzabad Rupees.

Q. Was that Account kept in the ſame Manner that other Money Tranſactions, which happened in that Country, were?

A. Exactly.

Q. Whether you paid the Paymaſter and Officers of the Army in a particular Species of defective Coin, and then charged them with the Difference?

A. I paid them in ſuch Coin as I was able to get; I would rather have paid them in the beſt Coin, the Fyzabad Rupee, if I could have got it, becauſe it would have ſaved me a great deal of Diſpute, which I conſtantly had with the Officers, being obliged to ſend them Rupees of different Species.

Q. As you charge the Begums with the Difference between that Rupee, and the Rupee of the Year when you received it; Whom did you charge with the Difference when you paid it out?

A. The Nabob.

Q. Whether you did not tranſmit Part of this Money to Calcutta in Specie?

A. I believe ſo; but really I do not juſt now recollect whether it was immediately, or afterwards. I know that the Three Armies, I have mentioned, took a very large Sum of Money, poſſibly all that was immediately realized, from Fyzabad; but I do not ſpeak with any great Certainty.

Q. Whether, in fact, you did, or did not, ſend down a Part of this Money to Calcutta in Specie?

A. I really do not remember; but the Accounts upon Record, at the India Houſe, will aſcertain that.

Q. Whether you ſent any Part of it, in Specie, to Benares?

A. No; certainly not.

Q. When the Shroffage was made, according to the Aſſay Table, what Means were taken, if any were taken, to prove that it was fairly made, agreeable to that Table, to the Satisfaction of the Begums, who were charged with the Difference?

A. The Proceſs was very ſimple. The Shroffage was nothing more than to aſcertain the particular Species of Rupees: that done, the Batta was already fixed by the Aſſay Table: ſo that all the Shroffs had to do was, to aſcertain what the particular Species of the Rupees was.

Q. I am aſking, not, what Means were taken for ſatisfying the Shroffs; but, what Means were taken for ſatisfying the Begums?

A. I have no Doubt the Begums knew very well what Money was paid.—They knew the Species of Rupee that was paid by their Agents.

Q. By what Agents?

A. By the Eunuchs and their Shroffs.

Q. Where were the Eunuchs?

A. In their own Houſe, in Bahar Ali Khan's Houſe.

Q. Where

Q. Where was the Shroffage made?

A. I take it for granted in their Houſe too; they aſcertained the Species before they ſent them, and ſent a Liſt with them; then, of Courſe, when they were delivered over to me, they were compared with the Liſt, to ſee that they agreed.

Q. Do you ſay they were ſhroffed by Jewar and Bahar Ali Khan, before they were delivered to you?

A. I will not take upon me to ſay it was the Fact.—I have no Doubt it was.

Q. Why do you ſuppoſe it was?

A. I cannot ſuppoſe that they, who were employed to pay the Money, would deliver it without taking any Account of it.

Q. Were they not then in Irons?

A. I am pretty certain they were not.

Q. Whether there were any Means taken to produce any Treaſury Account, kept by Bahar Ali Khan, to aſcertain whether the Money delivered was the Whole of the Nabob's Treaſure, or not.—Were there any Accounts produced?

A. Not by me.

Q. Were there by any Body?

A. Not that I know of. I ſuppoſe, moſt likely, the Nabob's Miniſter would have taken Care of that; but I do not know any Thing of it.

Q. Was all that Money, which you ſtate firſt to have been ſhroffed at Fyzabad, afterwards ſhroffed over again at Lucknow, or ſome conſiderable Part of it?

A. All could not; becauſe ſome of it, as I ſtated before, a conſiderable Sum, was diſpatched to the Camps from Fyzabad; what was carried to Lucknow, in all Probability, was ſhroffed again.

Q. Why was it ſhroffed again?

A. I do not know that it was, but in all Probability it was.

Q. Do you know who was preſent at the ſhroffing Operation at Lucknow?

A. The Treaſurers, I take it for granted: it was their Buſineſs: The Treaſurers, no Doubt, were preſent.

Q. What Treaſurers?

A. The Company's Treaſurers.

Q. Were you not a Principal Company's Treaſurer? Who was the Principal Company's Treaſurer?

A. The Principal Treaſurer was the Agent of Gopaul Doſs.

Q. Were you not you yourſelf the Principal Treaſurer?

A. As far as being Reſident, and having a Controul over the Treaſury, moſt certainly; but the Management of the whole Buſineſs of the Treaſury was in the Hands of the Natives.

Q. Whether you was not, by your Office, Receiver of the Company's Aſſignments?

A. No Doubt, I was.

Q. Whether, when you received the Money originally, you received it on the Shroffage of Bahar and Jewar Ali Khan, or whether you had it ſhroffed yourſelf?

A. I certainly could not, I conceive, have received it upon the Shroffage of Bahar and Jewar Ali Cawn without examining that their Shroffage was juſt. I never heard any Complaint that my Shroffage did not agree with theirs. I have no Doubt it did agree.

Q. Did any Body ſhroff it at Fyzabad for you?

A. The Treaſurers were there.

Q. What Treaſurers?

A. I believe Gopaul Doſs's Agents.

Q. So the Whole of this Money was paid to Gopaul Doſs's Agents?

A. It is difficult for me to underſtand.

Q. Was the Money received from Jewar and Bahar Ali Khan, as the Nabob's Rights aſſigned over to you, delivered immediately to Gopaul Doſs, or his Agents?

A. Certainly it was: they were his Agents, and to them it was delivered; there were more than one Agent, there were Five or Six.

Q. Do you recollect the Names of any of them, beſides Gopaul Doſs?

A. I cannot at this Moment recollect the Names of any of them.

Q. Were there not conſiderable Effects and Jewels ſent, as Part of the Payment, to Lucknow?

A. A conſiderable Time afterwards, there were ſome Jewels, and Gold, and Effects of that Sort, ſent to Lucknow.

Q. How were they diſpoſed of?
A. They were ſold on the Begum's Account.

Q. By whom?
A. By the Company's Treaſurer, under the Direction of the Nabob's Miniſter; and at the ſame Time with the Concurrence of the Agents of the Begums themſelves, ſent from Fyzabad, accompanying thoſe Effects.

Q. Had the Reſident no Controul, Superintendance, or Inſpection, over the Sale?
A. I hardly know whether I can ſay, I had the Controul, or had not.—When theſe Effects arrived at Lucknow, the Courſe obſerved was, to get the principal Merchants of the Place, ſuch as ſhould be approved by the Nabob's Miniſter, and the Begum's own Agent, to appraiſe thoſe Effects.—They were ſo appraiſed, and ſold according to that Appraiſement.

Q. Where were they ſold?
A. At Lucknow.

Q. To whom?
A. I really do not know;—I apprehend to a great Number of Merchants, and other People.

Q. Have you not heard that Complaints were made, that they were ſold greatly under their Value?
A. I have, I think, heard Complaints, that they did not realize ſo much Money as was expected.

Q. Who was preſent at the Sale?
A. I cannot tell; I apprehend all the Treaſurers. The Five or Six I have mentioned were all employed conſtantly in the Treaſury, and I have no Doubt they were preſent at the Sale.

Q. When the Produce of this Sale was to be applied for the Uſe of the Company, how comes it that you, the Reſident, took no Concern in the Sale, in order that it might produce to the Utmoſt?
A. I took no further Concern than I have ſtated: It was the Propoſal, I apprehend, of the Begum's own Agents, that they ſhould be ſold to the different Merchants of Lucknow. After they were ſo appraiſed, they were taken by any Merchants, that choſe to purchaſe at that Appraiſement.

Q. (*Croſs examined.*) Whether, excluſive of your occaſional Interference, ſo far as related to Tunkaws, and Aſſignments upon the Revenue, the ordinary Adminiſtration of the civil Affairs of Oude, did not reſt with the Nabob and his Miniſters?
A. Certainly it did.

Q. Whether ſeveral of the Natives had not larger Farms, and more independant Authority, in the Province of Oude, than the Reſident would have allowed them, if it had reſted with him to have regulated that Matter?
A. I have ſtated before, that I certainly would, if I had had the Power, have prevented many People having large Emoluments, which they did get, and which I thought them unworthy of: One, in particular, I would mention to your Lordſhips, under the Name of an Orderly, who had no leſs a Collection than Forty Lacks of Rupees per Annum under his Charge—between Thirty and Forty—nearly Forty Lacks per Annum, under his Charge.

Q. Who was that?
A. His Name was Bowannee Sing; One of thoſe Perſons that had been raiſed from a menial Situation to a Rajah, upon the Nabob's Acceſſion to the Government.

Q. Did you make any Attempt to remove that Rajah from that Situation?
A. I have made many.

Q. And failed?
A. Yes, failed; as I did in every other Inſtance relative to that Claſs of People.

Q. Whether you ever attempted to controul, or in Fact did controul, the Nabob, either in the Number, Selection, or Pay, of his Houſehold Eſtabliſhment?
A. No, I did not.

Q. Did you ever, or in any Manner, interfere with, attempt to controul, or, in fact, controul, the Nabob in his private Expences?
A. No; certainly not.

Q. What Sum was appropriated for the Nabob's private Expences, or Eſtabliſhment, in virtue of the Treaty of Chunar?

A. I cannot exactly recollect; but Mr. Haſtings's Inſtructions will, I believe, aſcertain that Point.

Q. Did it not, in One Year, amount to Forty-nine Lacks, for his private Purſe, including an Allowance for the Reduction of the Jaghire?
A. I cannot recollect exactly; I wiſh to refer to the Paper itſelf.

Q. What were the Charges upon that Fund, that was ſet apart for the Nabob's particular Expences?
A. I apprehend, for all his Houſehold; his civil Expences; and ſome Part of his Military.

Q. Whether the Sum, which was ſo ſet apart for the perſonal Expences of the Vizier, if properly adminiſtered, was not ſufficient to ſuſtain him according to his Rank?
A. That is a good deal Matter of Opinion; it is a large Sum certainly, and I apprehend it might.

Q. Would it ſuſtain the Eſtabliſhment, in ſuch Manner as it had been ſuſtained from the Death of Sujah ul Dowlah?
A. I apprehend it would.

Q. Do you know upon what Subjects, beſides his Table and Dreſs, and his Eſtabliſhment of Horſes, this Sum was expended?
A. There were a Variety of Expences—the Expences of his Zenana were very conſiderable.

Q. What might the Amount of that Expence be?
A. I do not know.

Q. What Number of Servants had he about his Perſon?
A. It is impoſſible to aſcertain with any Accuracy; he had a very conſiderable Retinue of Servants, certainly.

Q. Whereabouts was the Number?
A. It is a difficult Queſtion to anſwer.

Q. Two or Three hundred, or Two or Three thouſand?
A. Two or Three thouſand, I have no doubt, of different Deſcriptions.

Q. Do you know the Number of his Horſes, or the Number of his Elephants; or do you know any of the Articles of Expence?
A. Not accurately—he had a thouſand Elephants, and perhaps twice as many Horſes.

Q. What muſt be the annual Expences of the Eſtabliſhment you have now deſcribed, of a thouſand Elephants?
A. I cannot tell.

Q. Would they amount to a Lack of Rupees?
A. They muſt be more than that, for I recollect one Elephant had a Jaghire of Twelve thouſand Rupees a Year.

Q. Whether you recollect with any Certainty, that the regular Cavalry, uſually retained by the Nabob, amounted to Two thouſand?
A. That was the Eſtabliſhment; it conſiſted of Two Regiments, that had originally been in the Britiſh Service, and upon ſome Reform had been diſmiſſed from the Company's Service, upon which the preſent Nabob's Father took them into his Pay. The Eſtabliſhment conſiſts of Two Regiments of 1,000 Men each.

Q. Was this Body of Cavalry in general well cloathed and well appointed?
A. I cannot ſay that they were ſo well cloathed and appointed, or any Thing like it, as the Troops in the Company's Service; but they were armed and cloathed after the European Manner.

Q. Were they as well cloathed and appointed as the Troops of other Native Princes in general?
A. Better than the Troops of any other Native Prince that I ever ſaw.

Q. Was the Whole of the Nabob's Cavalry collected, or ordered to attend him, when he went to Chunar; the 2,000 Cavalry?
A. The whole 2,000 were with him. I believe he ſeldom travelled any where without them.

Q. Had he any more Cavalry beſides the 2,000?
A. Yes; he had.

Q. What was the Number of them?
A. I cannot ſay; they were coming in every Day from the Country about, according to his Orders. He had a very large Eſtabliſhment with him upon his Arrival at Chunar.

Q. Were they all with him at that Point where he turned off in the Road to Lucknow, to go to Fyzabad?

A. The Two Regiments were with him, to the beſt of my Recollection, and ſome others of his Cavalry. I believe a large Body of his Cavalry were left behind at Chunar, to aſſiſt in carrying on the War againſt Cheit Sing; the others were ſent back, I believe, to their different Stations.

Q. Do you mean that any of the regular Cavalry were left behind to aſſiſt in the War againſt Cheit Sing?

A. None, I believe.

Q. Then the whole regular Cavalry attended him to the Point of Separation, when he changed his Route to go to Fyzabad?

A. To the beſt of my Recollection they did, and accompanied him to Fyzabad.

Q. How far from Fyzabad was that Point of Separation?

A. I do not recollect the Place where he did turn off.

Q. Was it as far from Fyzabad, as Lucknow is from Fyzabad?

A. I ſhould apprehend not near the Diſtance.

Q. Whether the Nabob had any Bearers ſtationed on the Road to Fyzabad, to enable him to travel with greater Expedition from that Point of the Road where the Separation was?

A. I have no Knowledge of any, nor do I believe there were any.

Q. If there were no Bearers ſtationed, what ſhould hinder the regular Cavalry that were with the Nabob from getting to Fyzabad as ſoon as he?

A. I apprehend they did get to Fyzabad as ſoon as he did; that they attended his Perſon, and accompanied him through the Road to Fyzabad.

Q. Have you any Doubt about that Fact?

A. I have none.

Q. What was the particular Situation of Captain Edwards about the Perſon of the Nabob?

A. He was the Nabob's Aid de Camp.

Q. To whoſe Patronage did he owe his Appointment; who recommended him to the Nabob?

A. I cannot immediately ſay; I rather——

Q. Do you know whether it was not Mr. Haſtings?

A. I really do not know; I have heard it was Sir Elijah Impey, but I cannot ſay.

Q. Do you not know, that ſome ineffectual Applications were made by the Nabob to Mr. Haſtings, to have Captain Edwards ſent up the Country to him, which were reſiſted by Mr. Haſtings?

A. I do not.

Q. Whether there was any Drought of any conſiderable Magnitude in the Province of Oude, or its Dependencies, in 1779, 1780, 1781, or 1782?

A. In 1779 there was a very ſevere one.

Q. Whether you conceive it was owing to natural Cauſes, or to the bad Adminiſtration of the Nabob's Miniſters?

A. I mean the Failure of the Periodical Rains.

Q. Would that affect the Cultivation of the Country in a very conſiderable Degree?

A. No doubt it would.

Q. Was the impoveriſhed State of the Country, in 1779 or 1780, occaſioned by that natural Cauſe, in any, and what Degree?

A. In a conſiderable Degree, certainly; but I refer it alſo to other Cauſes; by which I mean the Miſmanagement of the Nabob's Government.

Q. In what reſpect?

A. The Appointment of improper People to the Truſts, ſuch as I have mentioned; and in general, a Supineneſs in the Nabob's Government.

Q. Whether you do not recollect to have mentioned, in a Letter to Mr. Haſtings, dated the 28th of December 1781, the heavy Remiſſions the Nabob had been obliged to allow on the preſent Year's Rents, for the Loſſes by Drought and Hail: (*a*) Do you remember the Fact of writing ſuch a Letter?

A. I do not at this Time.

Q. Do you recollect a Drought happening in the Years 1780 or 1781?

A. I was not in the Country in 1780 or 1781. I beg leave to correct myſelf; in 1781 I certainly was.

(*a*) Vide Appendix, N° XXXVIII, Page 87, Line 30.

Q. Whether

Q. Whether you ever tranſmitted to Mr. Haſtings any Complaints, againſt Colonel Hannay, while he remained in Command in the Country of Oude?
A. I do not recollect that I did: I believe not.

Q. What was the general Eſtimation and Character of Colonel Hannay, when he was firſt employed in that Command?
A. I believe he bore a very good Character; I have always underſtood ſo.

Q. Whether the Countries of Baraitch and Goruckpore were not always, prior to the Time of Colonel Hannay, in the Hands of ſeveral refractory Zemindars, who ſcarcely acknowledged the Authority of the Nabob?
A. The Country of Goruckpore does fall particularly under that Deſcription; I do not think that Baraitch does.

Q. Whether the Employment of a Military Force in thoſe Countries, was not abſolutely neceſſary, as well for the Purpoſes of enforcing the Civil Government, as for the Collection of the Revenues?
A. In Goruckpore certainly. The Diſtrict of Baraitch bordered upon it, but was in a very different Situation from what Goruckpore was. Goruckpore was bounded by the Mountains; it is a very rough uncultivated Country, and I believe generally, as long as I can remember any Thing about it, was very much ſubject to Diſorders, to Rebellions among the Zemindars, and People of the Country.

Q. Whether the Bamboo Cages were not uſual Places of Confinement in the Country of Oude?
A. I confeſs I never heard of the Bamboo Cages till I heard it at this Bar.

Q. Do you know whether that Sort of Impriſonment is in frequent Uſe in the Country?
A. I never heard of ſuch a Mode of Impriſonment: But of Priſons moſt certainly; the Priſons I have heard generally of, in the Country, were Mud Forts, where the Priſoners were kept.

Q. Whether from the Deſcription you have now heard of theſe Bamboo Cages, ſuch a Species of Confinement is more lenient, or more ſevere, than Confinement in Mud Forts?
A. I ſhould apprehend they muſt be much the ſame. I cannot in my own Mind make much Diſtinction.

Q. Whether you do not believe, that the Begums were always particularly jealous, and adverſe to the Britiſh Influence, in the Affairs of Oude?
A. I have heard that they were: I cannot aſſert it of my own Knowledge; I have no Fact that can lead me to give a poſitive Anſwer to that Queſtion. I certainly have heard that they were.

Q. Do you not, of your own Knowledge, know that the Jealouſy of the Begums, or either of them, was much inflamed towards us by the Ceſſion of Benares in 1775?
A. I have no poſitive Knowledge of it.

Q. Do you know, or believe, that the Begums were diſaffected? Do you know any Thing of the Conduct of the Begums in 1775, upon the Ceſſion of Benares?
A. No, I do not.

Q. Whether you do, or do not, believe that the Begums were diſaffected to the Britiſh Intereſt in 1780 or 1781?
A. In 1781 I certainly did believe them ſo.

Q. Are you ſtill of the ſame Opinion, that they were hoſtile to the Britiſh Intereſt?
A. Moſt undoubtedly I am.

Q. Whether, in keeping your private Letter Book, you did, or did not, uſually inſert in it the Incloſures contained in the Letters you received?
A. It was not my Uſe.

Q. Whether, if you have looked at your Letter Book lately, you do not know that there occur ſeveral Inſtances, Twenty or Thirty at leaſt, in your Letter Book A.? Have you looked at your Letter Book A lately?
A. Yes, I have.

Q. And have you obſerved that there are ſuch Omiſſions?
A. I do obſerve Marginal Notes referring to Incloſures, which Incloſures are not in the Book.

Q. Have you obſerved any Inſtances where Incloſures are inſerted?
A. In looking over the Book, I have not obſerved any Incloſures; probably there might be Incloſures, but I obſerved a great Number of marginal Notes of Incloſures, which are not in the Book. All I can venture to ſay is, that it was not the uſual Cuſtom to inſert Incloſures in that Book.

Q. Whether

Q. Whether you ever had any Communication with Mr. Haſtings, directly or indirectly, reſpecting your Letter Books, prior to your Diſcloſure of them at the Bar of the Houſe of Commons?

A. No; moſt certainly not.

Q. Whether you had any Communication, directly or indirectly, with Mr. Haſtings reſpecting this Book, prior to your Examination at this Bar?

A. No.

Q. Do you recollect with Certainty, whether the Originals of the Letters written by Colonel Hannay and Captain Gordon to the Begums, or Originals accompanied with Copies, were delivered to you by Major Gilpin?

A. I have before informed your Lordſhips, that to the beſt of my Memory, only the original Letters themſelves were delivered to me by Major Gilpin. I have no Reaſon to alter that Belief; I have Reaſon to think, and I am confirmed in my Belief, that only the original Letters were delivered to me by Major Gilpin.

Q. Whether it was the Uſage of your Office to tranſmit to Calcutta all the Letters you received at Lucknow, or only ſuch of them as you conceived to be important to the Tranſactions you were managing for the Company?

A. It certainly was not the Practice of the Office during my Reſidence there; and I believe it will be found it was not the Practice of my Predeceſſor, or of my Succeſſor.

Q. Whether you do not know that the Begum, the Mother of the Nabob, uſed, at the Time he paid her Viſits, to expreſs particular Diſſatisfaction to him, on account of his Connexion with the Engliſh?

A. It is impoſſible for me to ſay on what Account it was—The Elder Begum generally did expreſs great Diſlike to the Nabob, and by Marks that were very uncommon; but I cannot pretend to ſay, that it was on account of his Connexion with the Engliſh, nor have I any Reaſon to think it was.

Q. What were the Marks of Diſſatisfaction?

A. The Nabob ſtood in very great Awe of the Elder Begum; and I do not know that he ever went to ſee her without inſiſting upon my accompanying him; he uſed to leave me in the outer Apartment, while he himſelf went in to the inner Apartment to viſit the Elder Begum; and I have been told (with what Truth I do not know) that as ſoon as he retired from the Apartment where he met the Elder Begum, it was her Practice to throw away the Muſnud on which he ſat, as a Mark of her Diſlike or Contempt; but what her Motives were for it, I cannot ſay.——Will your Lordſhips give me Leave, before I go from the Bar, to correct Two other ſmall Miſtakes in my Evidence. In my Examination at your Lordſhips Bar, I was aſked particularly as to a Letter from Captain Macdonald; the Impreſſion that was upon my Mind at that Time was, that the Letter had been ſent to me at Chunar; but, upon looking into Mr. Haſtings's Narrative, I find the Letter was incloſed by Mr. Barnet, the Jew I ſpoke of before, in a Letter to Mr. Haſtings himſelf;—I wiſh to correct that Part of my Evidence which ſays, it was ſent to me perſonally; I am clear it was ſent to Mr. Haſtings, and it is mentioned as an Incloſure in Mr. Barnet's Letter. There is another Miſtake, upon a long Examination, reſpecting the Part I had in the Affidavits, taken before Sir Elijah Impey at Lucknow. I mentioned that, to the Beſt of my Recollection and Belief, I never had any Communication with any Perſon but Colonel Hannay, or took any Meaſures with any Perſon but Colonel Hannay; but, on looking at my Correſpondence, I do find a Letter from myſelf to Mr. Shee at Furrackabad, written at the ſame Time, requeſting him to furniſh me with any Information that might have come to his Knowledge reſpecting the Inſurrection at Benares. The Letter to him is dated 14th of November; his Anſwer is the 18th of the ſame Month. If your Lordſhips will give Leave, I ſhould wiſh that to be altered.

Q. You have ſtated, that you ordered the Women of the Zenana to be kept confined and guarded. Since theſe Orders came from you, and not from the Nabob, was it not your Duty likewiſe to give Directions that the Women in the Zenana and Khourd Mahl ſhould be ſupplied with Neceſſaries?

A. I apprehend it is not exactly as it is ſtated; I do not recollect that there was any Order for confining the Women in the Khourd Mahl.

Q. Were there any Orders for confining the Women in any Place?

A. I do not recollect that there were.

Q. You have ſaid in your Examination, Page 604, in Anſwer to a good many Queſtions, that you took the Originals of the Treaty of Chunar with you to Lucknow, for which Place you ſet out the Day after the Treaty was executed, and that Mr. Haſtings had no Copy of that Treaty, till you, at ſome Diſtance of Time, ſent him down a Copy by a Dawk, or common Meſſenger; and at a further Period you ſent him, by Colonel Hannay, the Original; that is the Effect of the Evidence?

A. It is.

Q. Do

Q. Do you wiſh, upon Recollection, to correct that Evidence?

A. I believe the Evidence is correct; but I was inaccurate in one Part, reſpecting the Chunar Treaty. I mentioned having carried them both to Lucknow. I am very clear, that the Part that the Governor General himſelf ſigned was delivered to the Nabob at Chunar, the ſame, or the very next Day: As in a Letter from Mr. Auriol, Secretary to the Council at Calcutta, written by Direction of the Council, I was applied to for that Part of that Treaty; upon that I was induced to enquire where the Treaty was, and then I ſaw it in the Nabob's Poſſeſſion. I cannot be certain as to the Time when it was delivered to him; but I apprehend it was at Chunar, or the next Day, and my Anſwer to Mr. Auriol is dated the 16th of September, where I mention having ſeen it in the Nabob's Poſſeſſion.

Q. Then, from the Inſpection of that Letter of Mr. Auriol, you think you have made one Miſtake in that Account?

A. Yes. I do.

Q. You ſeem to be miſtaken, for the Effect of your Evidence is, that you took the Treaties with you. Both Parts, according to your Evidence, were taken from Chunar to Lucknow; and the firſt Account Mr. Haſtings received was a Copy ſent by you afterwards by a Dawk. You were aſked, How long was it before you ſent Mr. Haſtings a Copy of that Treaty? You ſaid, your Letter upon that Subject would aſcertain the Date; that you firſt ſent him Copies of the Treaties, and afterwards the Originals. Now, there is a Letter from Mr. Haſtings on the 23d of September 1781, which is only Three Days after you left Chunar, in which it is ſtated thus: "having on the 19th inſtant entered into certain Engagements with the Nabob Vizeer, tending to relieve his Finances of a Burthen they were no longer able to ſuſtain, with ſundry other Clauſes, the Execution of which is intruſted to you, I herewith incloſe an authentic Copy of the ſame, for your Guidance. The Nabob, on his Behalf, has ſubſcribed and ſealed an Agreement in your Preſence, and in the Preſence of Mr. Richard Johnſon and Hyder Beg Khan, reſpecting the better Adminiſtration of his Affairs; of which I alſo tranſmit you an authentic Copy." (*a*) Now, conſiſtently with this Letter, it is impoſſible that your Account can be correct?

A. That Letter was written and delivered to me, or I apprehend ſo, at the Time of ſigning the Treaty: It is my Inſtructions from Mr. Haſtings upon the Treaty.

Q. Attend to this Circumſtance. The Treaty was ſigned upon the 19th of October: You left Chunar upon the 20th; it might be a prior Date to the 20th, but could not be of a Date Three Days after the 20th?

A. That Letter, I am pretty certain, was delivered to me when I left Chunar. It is poſſible there may have been a Miſtake in the Date of it, or in the Date of the Treaty; but I am very poſitive that Letter was delivered to me with the Treaty itſelf.

Q. Do you wiſh that ſhould ſtand as a Solution between the Letter and the Evidence, that this Letter was delivered to you at the Time the Treaty was ſigned?

A. I am clear it was delivered to me at the Time of the Treaty, and I cannot pretend to ſay whether the Letter or the Treaty is miſdated.

The Witneſs was directed to withdraw.

The Managers for the Commons acquainted the Houſe, they here cloſed the Evidence upon the Second Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide ſupra, Page 146.

Die Martis, 3° *Junij* 1788.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Then Mr. Sheridan was heard to ſum up the Evidence, in Part, upon the Second Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Martis, 21° *Aprilis* 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Mr. Burke was heard, to open in Part the Sixth Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Sabbati, 25° *Aprilis* 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Mr. Burke was further heard, to open in Part the Sixth Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Martis, 5° *Maii* 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Mr. Burke was further heard, to open in Part the Sixth Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Jovis, 7° Maii 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Mr. Burke was further heard to open in Part the Sixth Article of Charge; and having finiſhed, the Managers for the Commons deſired Leave to withdraw for a ſhort Time.

The Managers for the Commons being returned informed the Houſe they were ready immediately to open the Remainder of the Sixth Article of Charge, and afterwards to call Evidence upon the Whole of it, or to proceed directly to the Proof of that Part which they had already opened, and having concluded that Head, to open and to give Evidence in Support of the Remainder of the ſaid Sixth Article, as the Houſe ſhould think proper; but, if the Houſe had no Objection, they themſelves preferred the latter Mode of Proceeding.

The Counſel for the Defendant were aſked, if they had any Objection to the Managers for the Commons proceeding in the Method laſt mentioned.

The Counſel for the Defendant made Anſwer, they had not, provided the ſame Indulgence was allowed them in the Conduct of the Defence.

The Managers for the Commons proteſted, that they had a Right to enlarge upon the Articles at any Period, without the Conſent of the Party accuſed.

Then *Mr. ROBERT HUDSON* was called in, and produced Book 195, intituled, "Bengal Letters, received 30th Sept. 1765, to 10th April 1767."

Read, the following Extract of a general Letter from the Preſident and Council at Calcutta, in Bengal, to the Select Committee of the Honourable the Court of Directors, dated 30th Sept. 1765.

"Honourable Sirs,

"1. The accompanying Proceedings of the Select Committee will explain our Motives for purchaſing the Admiral Stevens to convey to your Hands theſe Diſpatches, which we hope will be deemed of ſufficient Importance to merit any extraordinary Expence thereby incurred, an Expence which we flatter ourſelves will be fully defrayed by the valuable Cargo ſhe carries home at this early Seaſon.

"2. By the General Letter of this Date you will be informed by the Preſident and Council of every material Concern that has been tranſacted before the Board. At the ſame Time we beg Leave to refer to the Letters diſpatched by the Vanſittart and Bute (whereof Duplicates are now encloſed) for a Detail of the Military Operations, Political Occurrences, and eſpecially the very important Tranſactions previous to our Arrival, and ſubſequent to the Death of Meer Jaffier: An Event that furniſhed the moſt glorious Opportunity of eſtabliſhing your Influence and Power on ſo ſolid a Baſis as muſt ſoon have rendered the Engliſh Eaſt India Company the moſt potent Commercial Body that ever flouriſhed at any Period of Time.

"3. It is from a due Senſe of the Regard we owe and profeſs to your Intereſts and to our own Honour, that we think it indiſpenſably neceſſary to lay open to your View a Series of Tranſactions too notoriouſly known to be ſuppreſſed, and too affecting to your Intereſt, to the national Character, and to the Exiſtence of the Company in Bengal, to eſcape unnoticed and uncenſured. Tranſactions which ſeem to demonſtrate, that every Spring of this Government was ſmeared with Corruption, that Principles of Rapacity and Oppreſſion univerſally prevailed, and that every Spark of Sentiment and publick Spirit was loſt and extinguiſhed in the unbounded Luſt of unmerited Wealth.

"4. To illuſtrate theſe Poſitions we muſt exhibit to your View a moſt unpleaſing Variety of Complaints, Inquiries, Accuſations, and Vindications, the Particulars of which are entered in our Proceedings, and the Appendix; aſſuring you, that we undertake this Taſk with peculiar Reluctance, from the perſonal Regard we entertain for ſome of the Gentlemen whoſe Characters will appear to be deeply affected.

"5. At Fort St. George we received the Firſt Advices of the Demiſe of Meer Jaffier, and of Shuja Dowlah's Defeat. It was there firmly imagined that no definitive Meaſures would be taken,

either in reſpect to a Peace, or filling the Vacancy in the Nizamut, before our Arrival; as the Lapwing arrived in the Month of January with your general Letter, and the Appointment of a Committee with expreſs Powers to that Purpoſe; for the ſucceſsful Exertion of which, the happieſt Occaſion now offered. However, a contrary Reſolution prevailed in the Council. The Opportunity of acquiring immenſe Fortunes was too inviting to be neglected, and the Temptation too powerful to be reſiſted. A Treaty was haſtily drawn up by the Board, or rather tranſcribed, with few unimportant Additions, from that concluded with Meer Jaffier; and a Deputation, conſiſting of Meſſrs. Johnſtone ſenior, Middleton, and Leyceſter, appointed to raiſe the Natural Son of the deceaſed Nabob to the Subahdarry, in prejudice of the Claim of the Grandſon: And for this Meaſure ſuch Reaſons are aſſigned as ought to have dictated a diametrically oppoſite Reſolution. Miran's Son was a Minor, which Circumſtance alone would have naturally brought the whole Adminiſtration into our Hands at a Juncture when it became indiſpenſably neceſſary we ſhould realize that Shadow of Power and Influence, which having no ſolid Foundation was expoſed to the Danger of being annihilated by the Firſt Stroke of adverſe Fortune. But this Inconſiſtence was not regarded; nor was it material to the Views for precipitating the Treaty, which was preſſed on the young Nabob at the Firſt Interview, in ſo earneſt and indelicate a Manner, as highly diſguſted him and chagrined his Miniſters; while not a Single Rupee was ſtipulated for the Company, whoſe Intereſts were ſacrificed that their Servants might revel in the Spoils of a Treaſury before impoveriſhed, but now totally exhauſted.

"6. This Scene of Corruption was firſt diſcloſed, at a Viſit the Nabob was paid, to Lord Clive and the Gentlemen of the Committee a few Days after our Arrival. He there delivered to his Lordſhip a Letter filled with bitter Complaints of the Inſults and Indignities he had been expoſed to, and the Embezzlement of near 20 Lacks of Rupees iſſued from his Treaſury for Purpoſes unknown during the late Negociations. So public a Complaint could not be diſregarded, and it ſoon produced an Enquiry. We referred the Letter to the Board, in Expectation of obtaining a ſatisfactory Account of the Application of this Money, and were anſwered only by a warm Remonſtrance entered by Mr. Leyceſter againſt that very Nabob in whoſe Elevation he boaſts of having been a principal Agent.

"7. Mahomed Reza Cawn, the Naib Subah, was then called upon to account for this large Diſburſement from the Treaſury; and he ſoon delivered to the Committee the very extraordinary Narrative entered in our Proceedings the 6th of June, wherein he ſpecifies the ſeveral Names and Sums, by whom paid, and to whom, whether in Caſh, Bills, or Obligations. So preciſe, ſo accurate an Account as this of Money for ſecret and venal Services, was never, we believe, before this Period exhibited to the Honourable Court of Directors, at leaſt never vouched by ſuch undeniable Teſtimony and authentic Documents: By Juggut Seet, who himſelf was obliged to contribute largely to the Sums demanded; by Moolyram, who was employed by Mr. Johnſtone in all thoſe pecuniary Tranſactions; by the Nabob and Mahomed Reza Cawn, who were the heavieſt Sufferers; and, laſtly, by the Confeſſion of the Gentlemen themſelves, whoſe Names are ſpecified in the Diſtribution Liſt.

"8. Juggut Seet expreſsly declared in his Narrative, that the Sum which he agreed to pay the Deputation, amounting to 125,000 Rupees, was extorted by Menaces; and ſince the Cloſe of our Enquiry, and the Opinions we delivered in the Proceedings of the 21ſt June, it fully appears, that the Preſents from the Nabob and Mahomed Reza Cawn, exceeding the immenſe Sum of 17 Lacks, were not the voluntary Offerings of Gratitude, but Contributions levied on the Weakneſs of the Government, and violently exacted from the dependant State and timid Diſpoſition of the Miniſter. The Charge indeed is denied on the one Hand, as well as affirmed on the other. Your Honourable Board muſt therefore determine, how far the Circumſtance of Extortion may aggravate the Crime of Diſobedience to your poſitive Orders; the expoſing the Government in a Manner to Sale; and receiving the infamous Wages of Corruption from oppoſite Parties and contending Intereſts. We ſpeak with Boldneſs, becauſe we ſpeak from Conviction, founded upon undubitable Facts, that beſides the above Sums ſpecified in the Diſtribution Account, to the Amount of * 2,28,125 Pounds Sterling, there was likewiſe to the Value of ſeveral Lacks of Rupees procured from Nundcomar and Roydullub, each of whom aſpired at and obtained a Promiſe of that very Employment it was predetermined to beſtow on Mahomed Reza Cawn.

* Sic in Orig.

"(Signed at the End)

Clive,
Wm B. Sumner,
John Carnac,
H. Verelſt,
Fra^s Sykes." (*a*)

To prove the Means propoſed to prevent the Abuſes complained of; the Witneſs produced,

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(*a*) Vide Appendix, N° LXXXVIII.

Book-

Book 182, intituled, " Bengal General Conſultations, from 6th January to the 30th December 1766."

Read, the following Extracts of a Conſultation of the 22d September 1766, beginning at P. 733, of the ſame Book.

" Fort William, the 22d September 1766.

" At a Conſultation; Preſent,
The Right Honourable Lord Clive, Preſident;
John Carnac,
Harry Verelſt,
Randolph Marriott,
Hugh Watts,
Claud Ruſſell,
William Alderſey,
Thomas Kelſall, and
Charles Floyer, } Eſquires.
Mr. Sumner indiſpoſed.

Proceedings of the Select Committee of the 19th Sept. laid before the Board.

" The Proceedings of the Select Committee of the 19th inſtant are now laid before the Board, as follows.

Read alſo, a further Extract from the ſame Book, and ſame Conſultation, beginning at Page 735 of the ſame.

" The Right Honourable the Preſident has urged the Neceſſity of reſtricting the future Governors of this Preſidency, in Points of Trade and private Intereſt, with Arguments of ſo much Force and Conviction, in the following Minute, that we unanimouſly agree in recommending his Lordſhip's Propoſal to the Board, that it may be carried into Execution with all convenient Diſpatch.

" Alexander Campbell,
S. S. C.

" Lord Clive's Minute delivered in Committee, September 19th 1766.

" Our Attention, as a Select Committee inveſted with extraordinary Powers by the Court of Directors, has been conſtantly engaged in reforming the Abuſes which had crept into the ſeveral Departments of this Government. The important Work has been ſteadily proſecuted with Zeal, Diligence, and Diſintereſtedneſs on our Parts; and the Succeſs of our Labours gives us Reaſon to hope that our Employers will be of Opinion we have eſtabliſhed many uſeful and neceſſary Regulations. Many others however are ſtill wanting to complete our Plan; but I doubt not that the ſame Principles, which have hitherto guided our Conduct, will continue to direct and to juſtify the Meaſures we have yet to purſue.

" To place the Preſident in ſuch a Situation as will render his Government completely honourable to himſelf, and advantageous to the Company, appears to me an Object of as much Conſequence as any that has been taken into our Conſideration. To here ſuch immenſe Revenues are concerned where Power and Authority are ſo enlarged, and where the Eye of Juſtice and Equity ſhould be ever watchful, a Governor ought not to be embarraſſed with private Buſineſs; he ought to be free from every Occupation in which his Judgment can poſſibly be biaſſed by his Intereſt. The extenſive commercial Affairs, the Study of the Finances, the Politics of the Country, the Epiſtolary Correſpondence, the Proceedings of Council and Committee, theſe are ſufficient to employ every Moment of his Time, and I am confident that they cannot be conducted with the requiſite Attention to the Company's Intereſt, if the Mind of the Governor be diverted by complicated mercantile Accounts of his own.

Sic in Orig.

" If we look back upon thoſe unhappy Diſſentions which have frequently brought the Company's Poſſeſſions in Bengal almoſt to the Point of Deſtruction, we ſhall find that they have generally proceeded from the Conduct of Governors, who, too eager in Purſuit of private Intereſt, have involved themſelves in Affairs which could not be reconciled to the ſtrict Principles of Integrity. To prevent Scrutinies and Diſcoveries which might in any Degree affect their Honour, they have frequently been reduced to the Neceſſity of conniving at Abuſes which would otherwiſe have been brought to light, and remedied. The Welfare of this great Company ſhould be the ſole Study of a Governor; attached to that Point alone, his Meaſures could never be thwarted by the Malice of Oppoſition, becauſe they would all be propoſed for the Publick Good; and Actions will always be juſtified or condemned from the Principles on which they are founded.

" Such a State of Independency and Honour muſt be highly eligible to a Governor; and in my Opinion, it can only be acquired by cutting off all Poſſibility of his benefiting himſelf either by Trade or by that Influence which his Power neceſſarily gives him in theſe opulent Provinces.

" I therefore propoſe, that the Governor ſhall, in the moſt public Manner, in the Preſence of all the Company's Servants, the Mayor and Aldermen, and free Merchants, aſſembled at the Mayor's Court, take the Oath and execute the Penalty Bond hereunto annexed. The Conſideration

deration I have propoſed, is One and One Eighth per Cent. upon the Revenues collected, excepting thoſe ariſing from the Company's own Lands at Calcutta, Burdwan, Midnapore, and Chittagong.

" Although by theſe Means a Governor will not be able to amaſs a Fortune of a Million or Half a Million in the Space of Two or Three Years, yet he will acquire a very handſome Independency, and be in that very Situation which a Man of nice Honour, and true Zeal for the Service, would wiſh to poſſeſs: Thus ſituated, he may defy all Oppoſition in Council; he will have nothing to aſk, nothing to propoſe, but what he means for the Advantage of his Employers; he may defy the Law, becauſe theſe * can be no Foundation for a Bill of Diſcovery, and he may defy the Obloquy of the World, becauſe theſe † can be nothing cenſurable in his Conduct. In ſhort, if Stability can be inſured to ſuch a Government as this, where Riches have been acquired in Abundance, in a ſmall Space of Time, by all Ways and Means, and by Men with or without Capacities, it muſt be effected by a Governor thus reſtricted; and I ſhall think it an Honour, if my Propoſal be approved, to ſet the Firſt Example." (*a*)

* Sic in Orig.

† Sic in Orig.

Read alſo, further Extract from the ſame Book and the ſame Conſultation, beginning at Page 739 of the ſame.

" And I do moſt ſolemnly ſwear, that I will not upon any Account or Pretence whatever, directly or indirectly, accept, take, or receive, nor knowingly, wittingly, or willingly ſuffer or permit to be accepted or received by any Perſon or Perſons in Truſt for me, my Executors or Adminiſtrators, or for any other Perſon or Perſons whatever, out of perſonal Friendſhip to them, or received to my own Intereſt, directly or indirectly, any Jewels, Effects, Sum or Sums of Money, whether by Bonds, Bills, Notrie ‡ Obligations, or otherwiſe, or accept of, retain or keep, any Fee, Gratuity, or Reward in Jewels, Effects, Money, or Obligations, or Promiſes, or Aſſurances of Money in Writing of any Nature, or other Thing whatſoever, which has been heretofore depoſited for Services promiſed to be perpreceed *, or Favours to be received, or which ſhall hereafter be depoſited, lent, received, or paid into my Hands or Cuſtody, or to any other Perſons in Truſt for me, nor knowingly permit or ſuffer any other Perſon or Perſons to receive, take, or accept of the ſame, or any Part thereof, by my Authority or Influence, from any King, Prince, Vizir, Monſubdar, Nabob, Dewan, Phouzdar, Jimidar, or from any other Perſon or Perſons, natural-born Subjects of the Eaſt Indies, China, Perſia, or Mocka, of what Degree, Nomination, or Quality ſoever, or *from* any Servant or Agent, or Council of any King, Prince, Vizir, Monſubdar, Nabob, Dewan, Phouzdar, or Jimidar, exceeding the Value or Amount ſpecified in our Covenants with the ſaid United Company: The full Intent and Meaning of this Oath being, and I do moſt ſolemnly ſwear, that my full and true Intent and Meaning is, that in Conſideration of the Sum of One and One Eighth per Cent. upon the Revenues of Bengal, Bahar, and Orixa, (ſave and except the Revenues of the Lands of the ſaid United Company at Calcutta, Burdwan, Midnapore, and Chittagong), to be paid to me in monthly, quarterly, or yearly Payments, during the Time I ſhall continue to be Preſident and Governor of Fort William; and likewiſe in Conſideration of my Salary, ſtated Allowances, and Commiſſion upon the Mint Coral, and upon the Freight Goods, and Ten per Cent. Intereſt or Premium upon any Sum or Sums of Money † ſhall or may hereafter lend, advance, or place out at Intereſt, as before mentioned, no other Emolument or Advantage whatſoever ſhall in any wiſe howſoever, directly or indirectly, ariſe or accrue unto me, my Heirs, Executors, or Adminiſtrators, or to any other Perſon, through Favour or Friendſhip from me, either from my Office, or for or by Reaſon or Means of the Influence and Authority I may have as Preſident and Governor of Fort William.

‡ Sic in Orig.

* Sic in Orig.

† Sic in Orig.

" I further ſwear, that I will not myſelf receive, or knowingly permit any other Perſon to receive any Fee, Gratuity or Advantage * them, from the Diſpoſal of any Place, Employment, or Office to any European, or any other Perſon whatever in or out of the Company's Service; and that I will not in any Manner break through, or act in any reſpect, during the Time I ſhall continue to be Preſident and Governor of Fort William, contrary to any Article, Covenant, Clauſe, Promiſe, and Agreement contained in, or the true Intent and Meaning of a certain Indenture, bearing Date this Firſt Day of October One thouſand ſeven hundred and ſixty-ſix, and made, or mentioned to be made, between the ſaid United Company of the One Part, and me, Robert Lord Clive, on the other Part, but that I will truly and faithfully perform the ſame.

So help me GOD."

" Sworn in open Court at Fort William in Bengal, this Firſt Day of October, in the Sixth Year of the Reign of King George the Third." (*b*)

Read alſo, further Extract from the ſame Book and ſame Conſultation, beginning at Page 743 of the ſame.

" And the ſaid Robert Lord Clive doth hereby further covenant and agree, that he ſhall not, nor will, upon any Account or Pretence whatſoever, directly or indirectly, accept, take, or

(*a*) Vide Appendix, N° LXXXIX.

(*b*) Vide Appendix, ibid.

receive,

receive, nor knowingly, wittingly, or willingly ſuffer or permit to be accepted, taken or received, by any Perſon or Perſons, for his Uſe, or in Truſt for him, his Heirs, Executors, and Adminiſtrators, or for any other Perſon or Perſons whatſoever, out of perſonal Friendſhip to them, or Regard to his own Intereſt, directly or indirectly, any Jewels, Effects, Sum or Sums of Money, whether by Bonds, Bills, Notes, Obligations, or otherwiſe; or accept of, retain, or keep, any Fee, Gratuity, or Reward, in Jewels, Effects, Money, Obligations, or Promiſes or Aſſurances of Money in Writing of any Nature, or other Thing whatſoever, which has been heretofore depoſited, for Services promiſed to be performed, or Favours to be received, or which ſhall hereafter be depoſited, lent, received, or paid into his Hands or Cuſtody, or into the Hands or Cuſtody of any other Perſon or Perſons in Truſt for him, nor knowingly permit or ſuffer any other Perſon or Perſons to receive, take, or accept of the ſame, or any Part thereof, by his Authority or Influence, from any King, Prince, Vizir, Monſubdar, Nabob, Dewan, Phouzdar, Jimidar, or from any other Perſon or Perſons natural born Subjects of the Eaſt Indies, China, Perſia, or Mocka, of what Degree, Nomination, or Quality ſoever, or from any Servant, Agent, or Council of any King, Prince, Vizir, Monſubdar, Nabob, Dewan, Fouzdar, or Jemidar, exceeding the Value or Amount ſpecified in the Covenants with the ſaid United Company: And the ſaid Robert Lord Clive doth further covenant and agree, that no other Emolument or Advantage whatſoever (excepting as herein excepted), ſhall in my* w howſoever directly or indirectly ariſe or accrue unto him, his Heirs, Executors, or Adminiſtrators, or to any other Perſon whatever, through Favour or Friendſhip, either from his Office, or for or by Reaſon or Means of the Influence of Authority he may have as Preſident and Governor, nor with he the ſaid Robert Lord Clive receive, or knowingly permit any other Perſon to receive any Fee, Gratuity, or Advantage, from the Diſpoſal of any Place, Employment, or Office, to any European, or any other Perſon whatever, in or out of the Company's Service." (*a*)

* Sic in Orig.

To prove that Lord Clive did take the Oath, and enter into the Covenant beforementioned,

Read, from Book 195, already delivered in, the following Extract of a General Letter from the Preſident and Council at Calcutta in Bengal, dated Fort William, 5th and 9th December 1766.

" We are to obſerve, that our Preſident Lord Clive has himſelf ſet the Firſt Example of that Moderation, which he requires in future Governors of this Settlement, his Lordſhip having on the 1ſt Day of October taken the reſtrictive Oath, and executed the Penalty Bond in the Manner preſcribed.

" Signed (at the End of the Letter)
Clive,
H. Verelſt,
John Carnac." (*a*)

To prove that Meſſrs. Verelſt and Cartier, when they ſucceeded to the Government of Fort William, reſpectively took the Oath, and entered into the Covenant beforementioned, the Witneſs produced Book 201, intituled, " Bengal General Conſultations, from 3d January to 31ſt December 1767."

Read, the following Extract from a Conſultation of the 29th January 1767, beginning at Page 73 of the ſame Book.

Thurſday the 29th Jan. 1767.

" At a Council; Preſent,
The Honourable Harry Verelſt Eſquire, Preſident;
Richard Smith,
Francis Sykes,
Claud Ruſſell,
William Alderſey,
Thomas Kelſall,
Charles Floyer,
Alexander Campbell, } Eſquires.

Mr. Verelſt ſucceeds to the Government on the Departure of Lord Clive for England, and takes his Seat accordingly.

" The Book of Standing Orders lying on the Table.

" The Right Honourable Lord Clive having ſince our laſt Meeting embarked on Board the Britannia for England, and Mr. Verelſt received from him the Charge of the Government, the latter now takes his Seat accordingly as Preſident of the Council, after having the Oath of Office adminiſtered to him.

The Witneſs next produced Book 200, intituled, " Public Conſultations for the Year 1769."

(*a*) Vide Appendix, N° LXXXIX. (*b*) Vide Appendix, N° XC.

Read,

Read, the following Extract of a Conſultation of the 26th December 1769.

" Fort William, the 26th December 1769.

" At a Conſultation; Preſent,
The Honourable John Cartier Eſquire, Preſident, and Governor;
Claud Ruſſell,
Charles Floyer,
Francis Hare,
Joſeph Jekyll, } Eſquires.

" The Book of Standing Orders lying upon the Table.

" The Honourable Mr. Verelſt having reſigned the Government, on the 24th inſtant, is ſucceeded by the Honourable Mr. Cartier, who now aſſumes the Chair, after the Preſident's Oath having been duly adminiſtered to him.

Mr. Cartier aſſumes the Chair, and takes the Preſident's Oath.

To ſhew that it did not appear upon the Records of the Eaſt India Company, that Mr. Haſtings took any Oath when he ſucceeded to the Government of Bengal, Mr. Robert Hudſon was examined, as follows:

Q. Have you ſearched the Records of the Company?
A. I have ſearched the Minutes at the Time when Mr. Haſtings entered into the Government of Bengal, and it does not appear that he took any Oath.

Q. *(Croſs examined.)* What Search have you made for the Purpoſe of diſcovering whether Mr. Haſtings took an Oath or not?
A. I have ſearched the Conſultations in all the Departments about that Time.

Q. Are they entire during that Period?
A. They appear quite entire.

The Managers for the Commons ſtated, they would next read the Covenant entered into by Mr. Haſtings when he ſucceeded to the Government of Bengal.

The Witneſs accordingly produced a Paper ſigned " W. Haſtings."

The Counſel for the Defendant objected, that in point of Regularity the Managers for the Commons ought to prove the Execution of the ſaid Inſtrument by Mr. Haſtings.

The Witneſs was aſked,

Q. Where are the Covenants kept which the Servants of the Company enter into?
A. This appears to be an original Covenant.

Q. That Paper which you produce, where do you bring it from?
A. From the India Houſe.

Q. Does it appear to be ſigned by any Body?
A. It is ſigned " Warren Haſtings."

Q. Is it in his own Hand-writing?
A. It appears to be in the ſame Hand as all the General Letters are ſigned.

Q. Are the Covenants preſerved in the India Houſe which the Servants ſign, or are they kept abroad?
A. They are kept in the India Houſe.

Q. You underſtand that to be the original Covenant?
A. Yes, my Lords.

The Counſel for the Defendant acquainted the Houſe, that Mr. Haſtings, upon Inſpection, acknowledged the Signature to be his Hand-writing.

The Paper was read, as follows:

" THIS Indenture, made the Tenth Day of February in the Ninth Year of the Reign of Our Sovereign Lord George the Third, by the Grace of God King of Great Britain, France, and Ireland, Defender of the Faith, and ſo forth, and in the Year of our Lord One thouſand ſeven hundred and ſixty-nine, between Warren Haſtings of London, Merchant, of the One Part, and the United Company of Merchants of England trading to the Eaſt Indies, of the other Part. Whereas the ſaid Warren Haſtings is now employed in the Service of the ſaid United Company, as One of their Council and covenanted Servants at their Chief Settlement of Fort Saint George on the Coaſt of Coromandel in the Eaſt Indies: Now this Indenture witneſſeth, and the ſaid Warren

Haſtings, in Compliance with a Reſolution of a General Court of the ſaid United Company, and for and in Conſideration of what he is or ſhall be entitled to receive from the ſaid Company in reſpect of his ſaid Service, or in reſpect of any other Station, Capacity, or Employment, in which the ſaid Warren Haſtings may hereafter be retained or employed by the ſaid United Company, or their Court of Directors, doth hereby, for himſelf, his Heirs, Executors and Adminiſtrators, covenant, promiſe, and agree, to and with the ſaid United Company, that he the ſaid Warren Haſtings ſhall not nor will, at any Time or Times hereafter, during his being employed in the ſaid Company's Service in any Station or Capacity whatſoever, either by himſelf, or by any other Perſon or Perſons whomſoever in Truſt for him, or for his Uſe, directly or indirectly, accept, take, or receive, or agree to accept, take, or receive, any Gift or Grant of Lands or Rents, or Revenues iſſuing out of Lands, or any Territorial Poſſeſſion, Juriſdiction, Dominion, Power, or Authority whatſoever, from any of the Indian Princes, Sovereigns, Subahs, or Nabobs, or any of their Miniſters, Servants, or Agents, for any Service or Services, or upon any Account or Pretence whatſoever, without the Licence or Conſent of the Court of Directors for the Time being of the ſaid United Company, ſignified under their Hands; nor ſhall or will, at any Time or Times hereafter, during his being employed in the ſaid United Company's Service in any Station or Capacity whatſoever, either by himſelf, or any other Perſon or Perſons whomſoever in Truſt for him, or for his Uſe, directly or indirectly, accept, take, or receive, or agree to accept, take, or receive, any Gift, Reward, Gratuity, Allowance, Donation, or Compenſation, in Money, Effects, Jewels, or otherwiſe howſoever, from any of the Indian Princes, Sovereigns, Subahs, or Nabobs, or any of their Miniſters, Servants, or Agents, exceeding the Value of Four thouſand Rupees, for any Service or Services performed, or to be performed, by the ſaid Warren Haſtings in India, or upon any other Account or Pretence whatſoever, without the like Licence or Conſent of the ſaid Court of Directors of the ſaid United Company, ſignified as aforeſaid; nor any ſuch Reward, Gratuity, Allowance, Donation, or Compenſation, exceeding the Value of One thouſand Rupees, and under the Value of Four thouſand Rupees, without the Licence or Conſent of the Preſident and Council for the Time being of the Preſidency or Settlement where the ſaid Warren Haſtings ſhall be employed; and that he the ſaid Warren Haſtings ſhall and will convey, aſſign, and make over, to the ſaid United Company, for their ſole and proper Uſe and Benefit, all and every ſuch Gifts or Grants of Lands or Rents, or Revenues iſſuing out of Lands, or any ſuch Territorial Poſſeſſion, Juriſdiction, Dominion, Power, or Authority whatſoever; and alſo account for and pay to the ſaid United Company, for their ſole and proper Uſe and Benefit, all and every ſuch Gifts, Rewards, Gratuities, Allowances, Donations, or Compenſations whatſoever, which, contrary to the true Intent and Meaning of theſe Preſents, ſhall come to the Hands, Poſſeſſion, or Power, of the ſaid Warren Haſtings, or any other Perſon or Perſons in Truſt for him, or for his Uſe, as aforeſaid. In witneſs whereof, to One Part of this Indenture, the ſaid Warren Haſtings hath ſet his Hand and Seal; and to the other Part thereof, the ſaid United Company have cauſed their Common Seal to be affixed, the Day and Year above written.

" Sealed and delivered (being firſt duly ſtamped) in the Preſence of
R^d Holt,
Thos Pike."

" Warren Haſtings. (L. S.)"

Indorſed,

" I do acknowledge to have read the within mentioned Covenants before I executed the ſame.
Witneſs,
R^d Holt."

" Warren Haſtings."

Then the Witneſs was aſked,

Q. *(By Counſel.)* Do you know, upon the Inſpection of the Journals, whether Mr. Verelſt and Mr. Cartier took the ſame Oath Lord Clive did?

A. It does not appear what Oath Mr. Cartier and Mr. Verelſt took; it appears only that they took what they call the Oath of Office.

Then the Witneſs produced another Paper ſigned " Warren Haſtings."

The Witneſs was aſked,

Q. Is that alſo an Original Inſtrument?

A. Yes, my Lord.

The ſame was read, as follows:

" THIS Indenture, made the Day of in the Year of our Lord One thouſand ſeven hundred and ſeventy-two, and in the Twelfth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and ſo forth, between the United Company of Merchants of England trading to the Eaſt Indies, of the One Part; and Warren Haſtings, of the other Part. Whereas the ſaid United Company

Company of Merchants of England trading to the Eaſt Indies, have (upon the ſpecial Requeſt and Entreaty of the ſaid Warren Haſtings, and upon the Conditions and Agreements herein-after contained, on the Part of the ſaid Warren Haſtings to be performed) received and entertained him the ſaid Warren Haſtings into their Service, as their
to ſerve them for the Term of Years, and to be employed in all or any of the Traffick or Merchandizes, Buſineſſes, and Affairs, in any Place or Places whatſoever, between the Cape of Good Hope, and the Streights of Magellan, as the ſaid Company, or their Court of Directors for the Time being, or any Thirteen or more of them, or any by them authorized, ſhall appoint, at and for the Wages or Sum of Pounds of lawful Money of Great Britain, by the Year, to commence from the Time of
Now this Indenture witneſſeth, That the ſaid Warren Haſtings, for himſelf, his Heirs, Executors, and Adminiſtrators, doth hereby covenant and agree, to and with the ſaid United Company of Merchants of England, trading to the Eaſt Indies, and their Succeſſors, in Manner and Form following (that is to ſay) That he the ſaid Warren Haſtings, for and during, and unto the full End and Expiration of Years, ſhall and will faithfully, honeſtly, diligently, and carefully ſerve the ſaid Company at ſuch Place and Places, and in all and every ſuch Affairs and Buſineſs whatſoever of the ſaid Company, as the ſaid Warren Haſtings ſhall be employed in. And ſhall alſo from Time to Time, and at all Times, obſerve, keep, and fulfil all and every the Orders of the ſaid Company, and of the ſaid Court of Directors made and to be made for the Government of their Factories and Settlements, Officers, Agents, or Servants abroad: And ſhall and will alſo obſerve, keep, and fulfil all ſuch Orders, Inſtructions and Directions, which he ſhall herewith, or hereafter receive under the Seal of the ſaid Company, or from the ſaid Court of Directors of the ſaid Company for the Time being, or any Thirteen or more of them, or from their Preſident and Council, at the reſpective Settlement where the ſaid Warren Haſtings ſhall reſide or be employed, or from any Perſons authorized thereunto by ſuch Directors; and ſhall and will, to the utmoſt of his Power and Skill, reſiſt and withſtand all and every ſuch Perſon or Perſons, as ſhall break, or endeavour to break the ſaid Orders, Inſtructions, or Directions, or any of them: And the ſaid Warren Haſtings doth hereby for himſelf, his Heirs, Executors, and Adminiſtrators, covenant and agree, to and with the ſaid United Company of Merchants of England trading to the Eaſt Indies, that he will not do, attempt, or practiſe, nor ſhall wittingly or willingly permit or ſuffer any other Perſon or Perſons whatſoever, to do, attempt, or practiſe, any Matter or Thing whatſoever, to the Hindrance, Hurt, Prejudice, Damage, or defrauding of the ſaid Company, or their Succeſſors, or of their Servants, or any of them, or of the ſaid Company's Goods, Merchandizes, Trade, or Traffick, or any of them, or any Part thereof; but ſhall, as much as in him lieth, prevent and defeat the ſame. And the ſaid Warren Haſtings doth hereby, for himſelf, his Heirs, Executors, and Adminiſtrators, covenant and agree, to and with the ſaid United Company of Merchants of England trading to the Eaſt Indies, that he the ſaid Warren Haſtings ſhall and will, from Time to Time, and at all Times from henceforth, give Notice and Intelligence, with all convenient Speed, unto the ſaid Court of Directors for the Time being, of all and every the Deceits, Wrongs, Abuſes, Breach of Orders, Inconveniences and Hindrances, which he the ſaid Warren Haſtings ſhall know, underſtand, hear or ſuſpect to be done, practiſed, offered, or intended againſt the ſaid Company, or their Succeſſors, or their Goods or Trade, or any of them, or againſt any Perſon or Perſons by them, or by the ſaid Court of Directors employed, or in their Service, in any Place or Places, together with the Names of thoſe Perſons by whom the ſame ſhall be ſo offered, practiſed, or intended. And the ſaid Warren Haſtings doth hereby, for himſelf, his Heirs, Executors, and Adminiſtrators, covenant, promiſe, and agree, to and with the ſaid United Company of Merchants of England trading to the Eaſt Indies, that he will not engage, or employ the Stock of the ſaid Company, or any Part thereof, or make uſe of the Credit of the ſaid Company, in any other Kind, Way or Manner howſoever, than for the Affairs of the ſaid Company, and as by the major Part of the Court of Directors of the ſaid Company for the Time being, under their Hands, or under the Common Seal of the ſaid Company, or by their ſaid Preſident and Council, ſhall be ordered and directed. And that he the ſaid Warren Haſtings ſhall and will, at all Times, keep and conceal the ſaid Company's Secrets, and every Matter and Thing committed to him as ſuch by the ſaid Court of Directors, or their Agents, Factors, Officers, and Servants, or any of them. And alſo, that he the ſaid Warren Haſtings ſhall and will, from Time to Time, and at all Times from henceforth, during his ſaid Employment, keep, or cauſe to be kept, a true and particular Journal or Day Book, of all Paſſages and Proceedings relating to the Affairs of the ſaid Company, and alſo Books of Accounts, in which Journal, Day Book, and Books of Accounts, he ſhall daily, duly, truly and fully enter, or cauſe to be entered, the Accounts of all and every particular Buying, Selling, Receipts, Payments, Barterings, and all other Tranſactions and Occurrences relating to his Truſt, during the Time he ſhall continue in the ſaid United Company's Service and Employment: And the ſaid
doth hereby, for himſelf, his Heirs, Executors, and Adminiſtrators, covenant, promiſe, and agree, to and with the ſaid United Company, that he will not place, or conſent to the placing to the ſaid Company's Account, nor otherwiſe charge the ſaid Company with any more or greater Sums than he ſhall really, and in good Faith, pay for all or any Goods, Merchandizes or Effects,

which he ſhall buy, or cauſe, procure, or conſent to be bought, for, or on Account of the ſaid Company. And that he the ſaid Warren Haſtings ſhall and will bring to the Account of the ſaid Company, in the Books of the ſaid Company, the full Rates and Prices for which he ſhall ſell, or cauſe to be ſold, any of the ſaid Company's Goods, Merchandizes, or Effects; and further, that he the ſaid Warren Haſtings will not directly or indirectly, take, accept, or receive, or agree to take, accept, or receive, any Gift, Reward, Gratuity, Allowance, Compenſation, Sum or Sums of Money whatſoever, from any Perſon or Perſons, of whom he the ſaid Warren Haſtings ſhall, by himſelf, or any Agent for him, buy or barter any Goods, Merchandizes, Treaſure, or Effects, for, or upon Account of the ſaid Company. And further, that he will not take, accept, or receive, or agree to take, accept, or receive any Gift, Reward, Gratuity, Allowance, Compenſation, Sum or Sums of Money whatſoever, from any Perſon or Perſons to whom the ſaid Warren Haſtings ſhall, by himſelf, or any Agent for him, ſell or barter any Goods, Merchandizes, Treaſure, or Effects, of or belonging to, or for, or upon Account of the ſaid Company; and moreover, that he the ſaid Warren Haſtings, his Executors or Adminiſtrators, ſhall produce and deliver the ſaid Books, together with all Waſte Books, Pocket Books, Diaries, Memorials, and other Writings and Papers whatſoever, wherein he the ſaid Warren Haſtings ſhall make, or cauſe to be made, any Entries, or ſet down any Matter or Thing touching or concerning the ſaid Company's Affairs, or any of them, or any way relating thereunto (although the ſame may or ſhall be intermixed with his own, or others Concerns) unto the ſaid Court of Directors of the ſaid Company for the Time being, or to ſuch Perſon or Perſons as ſhall, by Letter or Order, under the Hands of Thirteen or more of the ſaid Court of Directors, or under the Seal of the ſaid Company, be authorized and appointed to demand and receive the ſame; and ſhall and will, if required, make Oath to the Truth of ſuch Books, Diaries, Memorials, Writings, and Papers, and that the ſame contain the Whole of his Tranſactions, and that they have not been defaced, obliterated, or altered. And further, That he the ſaid Warren Haſtings ſhall and will, well and truly deliver and pay unto the ſaid United Company, or their Succeſſors, all and every ſuch Monies, Goods, Merchandizes, and Things whatſoever, as by the Foot of his Account, or otherwiſe ſhall be due from him, or remain in his Hands and Poſſeſſion, and for which he ought to be chargeable or anſwerable in any manner or wiſe. And alſo, That he the ſaid Warren Haſtings ſhall and will (before he ſhall leave the ſaid Company's Factories or Settlements) pay and diſcharge all and every ſuch Sum or Sums of Money as he ſhall juſtly owe or be indebted to any of the *Black Merchants* or Natives of the Country, where he the ſaid Warren Haſtings *ſhall be, together with* ſuch other Sums as he ſhall owe abroad to any other Merchants or Perſons not being Subjects of his Majeſty the King of Great Britain, or his Succeſſors; and that he the ſaid Warren Haſtings ſhall and will, from Time to Time, when and as often as he ſhall be thereunto required by the ſaid Company, or their Succeſſors, or by the Preſident, Agent, or Chief and Council of the Place where the ſaid Warren Haſtings ſhall be, remove to any ſuch other Factories, as ſuch Preſident, Agent, or Chief and Council, ſhall ſo direct and require. And alſo, That he the ſaid Warren Haſtings ſhall, at all Times, during the Time of his Service aforeſaid, faithfully and diligently demean himſelf as a good, honeſt and faithful Servant towards the ſaid Company, and their Succeſſors, and thoſe by them authorized. And upon Condition, That the ſaid Warren Haſtings ſhall in all Things perform his Covenants and Agreements with the ſaid Company herein contained, and to encourage him ſo to do, It is further covenanted and agreed by and between the ſaid Parties to theſe Preſents, That it ſhall and may be lawful to and for the ſaid Warren Haſtings, and the ſaid Company doth accordingly licenſe the ſaid Warren Haſtings, during the ſaid Years, commencing as aforeſaid, freely to trade and traffick for his own Account only, from Port to Port in India, or elſewhere within the Limits aforeſaid, but not to or from any Place without the ſame, without any Lett, Hindrance, or Interruption, from them the ſaid Company, their Succeſſors or Aſſigns, ſo as the ſaid Trade and Traffick ſo to be carried on and driven in India, or elſewhere within the Limits aforeſaid, or any Part thereof, be ſubject to ſuch Rules, Regulations, and Limitations, as the ſaid Company, or the Court of Directors for the Time being of the ſaid Company, have already directed, or ſhall from Time to Time hereafter direct and appoint, and be not to the Hurt or Prejudice of the ſaid Company, and their Succeſſors, or of their Trade or Commerce; and ſo as whatever is ſo traded for by the ſaid Warren Haſtings by Virtue of this Agreement be particularly entered in Books of the ſaid Company, to be kept for that Purpoſe in all the Factories of the ſaid Company reſpectively, in the Eaſt Indies, or elſewhere within the Limits aforeſaid, where ſuch Trade ſhall be driven; but in caſe the ſaid Warren Haſtings ſhall waſte, or make uſe of the ſaid Company's Treaſure, or ſhall become indebted to the ſaid Company, then, and in ſuch caſe, it is hereby further covenanted and agreed, by and between the ſaid Parties to theſe Preſents, that he the ſaid Warren Haſtings ſhall not be entitled to any of the Payments, Advantages, and Benefits, hereby otherwiſe intended him: But contrarywiſe, for and towards Satisfaction for what ſhall be due from him to the ſaid Company, and for and towards Reparation of the Damages done to the ſaid Company, it ſhall and may be lawful to and for any Perſon or Perſons thereunto authorized and appointed, by Writing under the Hands of Thirteen or more of the Court of Directors of the ſaid Company for the Time being, or under the Seal of the ſaid Company, and to and for any Preſident,

Agent,

Agent, or Chief, and Council, of any Place or Factory, of or belonging to the ſaid Company, to ſeize, or cauſe the Goods and Chattels of him the ſaid Warren Haſtings, to be ſeized and detained, until Satisfaction is made. And foraſmuch as Complaints have been made to the ſaid United Company, that ſeveral of the ſaid Company's Preſidents and Chiefs of their Factories, and ſeveral of ſuch Perſons as are of their Councils, in their Factories abroad, or ſome of them, as alſo their Factors, Agents and Servants, have committed very heinous and grievous Offences in ſuch Factories of the ſaid Company, and elſewhere in the Eaſt Indies, and other Places within the ſaid Company's Limits of Trade, by unjuſtly menacing, impriſoning, aſſaulting, abuſing, and evil-treating the Natives and Black Merchants, and others with whom the ſaid Company have had Dealings or Correſpondence, and by ſuch Means and other Violences, Abuſes, and Injuries, have extorted and forced great Sums of Money, and other valuable Effects, from ſuch injured Perſons, who by reaſon of the great Diſtance from this Kingdom, and the wholeſome Laws thereof, and by Reaſon that the ſaid Company have not been enabled to obtain and render Satisfaction for ſuch Injuries and Miſdemeanors, are, and have been remedileſs: Now it is hereby agreed by and between the ſaid Parties to theſe Preſents, and the ſaid Warren Haſtings doth hereby, for himſelf, his Heirs, Executors, and Adminiſtrators, covenant and agree, to and with the ſaid United Company, that in caſe any Sum or Sums of Money, Goods, or Chattels whatſoever, ſhall at any Time or Times hereafter, be extorted, forced, or taken, by him the ſaid Warren Haſtings (either ſeparately or jointly with others) from any Perſon or Perſons whatſoever, within the ſaid Company's Limits of Trade, by the Means or Uſe of Impriſonments, Aſſaults, Violences, Menaces, or other Force or Compulſion whatſoever, then and as often as any ſuch Offence or Offences ſhall be committed, it ſhall and may be lawful to and for every Perſon or Perſons injured thereby, to make and ſend over Complaints and Atteſtations thereof in Writing to the Court of Directors of the ſaid Company for the Time being, and that upon the Receipt of ſuch Complaints and Atteſtations, it ſhall and may be lawful, to and for the Court of Directors of the ſaid Company for the Time being, to enquire into the Truth of the ſaid Complaints, by all ſuch Ways and Means as they ſhall think juſt and equitable, and thereupon to hear the Matter of the ſaid Complaint or Complaints, and thereupon finally to judge and determine the ſame, and to award Satisfaction and Reparation to be made by the ſaid Warren Haſtings to the ſaid Company, for the Benefit of ſuch injured Perſons. And the ſaid Warren Haſtings doth hereby, for himſelf, his Heirs, Executors, and Adminiſtrators, covenant and agree, to and with the ſaid United Company, well and truly to pay to the ſaid Company, at ſuch Time or Times as ſhall be limited by the ſaid Court of Directors (or the major Part of them) for that Purpoſe, all and every ſuch Sum and Sums of Money as ſhall be ſo awarded by the ſaid Court of Directors for the Time being, or the major Part of them then aſſembled, to be paid as aforeſaid: But in Truſt nevertheleſs, and to the Intent, That the ſaid Company may and do render, and pay over, the Monies received or recovered by them, to the Parties injured or defrauded, which the ſaid Company accordingly hereby agree and covenant to do: And the ſaid Warren Haſtings doth furthermore for himſelf, his Heirs, Executors, and Adminiſtrators, covenant and agree, to and with the ſaid United Company, to pay and ſatisfy to the ſaid Company for their own Uſe and Benefit all ſuch Damages as they ſhall have ſuſtained by Reaſon or Means of any ſuch Offence or Offences as aforeſaid: And foraſmuch as it frequently happens, That the Preſident and Council, Agent and Council, Chief and Council, and ſeveral other ſubordinate Officers of ſeveral of the ſaid Company's Factories abroad, have, by mutual Influences on each other, ſettled, ſtated, and adjuſted amongſt themſelves, their own Accounts with the ſaid Company, in order as far as they could, to bar and preclude the ſaid Company from reviewing, altering, amending, correcting, or conteſting the ſame: Now it is hereby further declared, That all and every ſuch Account and Accounts, ſo at any Time ſtated, balanced, ſigned, or adjuſted, by, between, or amongſt ſuch Preſidents and Councils, or Agents and Councils, or Chiefs and Councils, or other ſubordinate Officers, or any of them, and the ſaid Warren Haſtings, are hereby agreed to be, and ſhall at all Times hereafter be taken and eſteemed to be open Accounts, formed and prepared only for the Inſpection, Peruſal, and Approbation or Correction of the ſaid Company, and ſhall not in any Sort or Kind, or in any Article thereof, bind or conclude the ſaid Company. And the ſaid Warren Haſtings doth for himſelf, his Heirs, Executors and Adminiſtrators, covenant and agree, to and with the ſaid United Company, that he the ſaid Warren Haſtings will not at any Time, during his Reſidence in the Eaſt Indies, or within the ſaid Company's Limits, directly or indirectly trade, correſpond, traffick, deal with or for, or be in any wiſe aiding, aſſiſting, or employed as Agent, or Factor, by or for any Foreign Company trading in or to the Eaſt Indies, or any Perſon or Perſons whatſoever, who do or ſhall, during the Continuance of theſe Preſents, traffick, adventure, or trade to, in, or from the Eaſt Indies, or elſewhere, within the Limits of the ſaid Company's Trade, by, or under, or by virtue of any Foreign Commiſſion, Licence, or Authority whatſoever, nor ſhall or will by himſelf, or in Conjunction with any Perſon or Perſons whatſoever, directly or indirectly carry on, or uſe or be concerned in any Sort of Trade, Traffick, or Merchandize, either from Europe to the Eaſt Indies, or to any Place within the ſaid Company's Limits, between the Cape of Good Hope and the Streights of Magellan, or from the Eaſt Indies, or from any Place within the ſaid Company's Limits, to Europe, or to or from any Place whatſoever, although not within the ſaid Company's Limits of Trade, ſave and except for and on Account of the ſaid Company, nor ſhall carry on,

uſe,

uſe, or be concerned in any Trade or Traffick whatſoever, but ſuch as is expreſsly allowed by and according to the true Intent and Meaning of theſe Preſents. And that he the ſaid Warren Haſtings, his Executors, or Adminiſtrators, ſhall and will pay, or cauſe to be paid, unto the ſaid Company, as and by way of ſtated Damages, double the Value of all and every the Goods and Merchandizes, traded for, bartered, by the ſaid Warren Haſtings, his Agent or Agents, contrary to the true Meaning of theſe Preſents. Provided nevertheleſs, That if the ſaid Warren Haſtings ſhall firſt voluntarily and freely make a Diſcovery unto the ſaid Company's Court of Directors, of any Trade or Traffick carried on by him or his Agents, contrary to the true Meaning of theſe Preſents, and of all and every the Perſons therein concerned, then, and in ſuch Caſe, the ſaid Company do hereby agree to accept the ſingle Value, inſtead of the double Value of the ſaid Goods and Merchandizes, which ſhall be traded with, in, for, or bartered or trafficked for, contrary to the true Meaning of theſe Preſents, as aforeſaid: And in order to a Diſcovery of, and a Satisfaction for ſuch illicit Trade, as aforeſaid, it is hereby agreed, that it ſhall and may be lawful to and for the ſaid United Company, and their Succeſſors, to file any Bill or Bills of Complaint or Diſcovery, in His Majeſty's High Court of Chancery, or Court of Exchequer, againſt him the ſaid Warren Haſtings, his Executors and Adminiſtrators, whereunto the ſaid Warren Haſtings doth hereby agree, that neither he nor they ſhall or will demur, or plead in Bar of the Diſcovery or Relief ſought by ſuch Bill or Bills, that thereby he or they is, are, may or ſhall become liable to any Penalty or Forfeiture, by force of any Law or Statute, Bond, Covenant or Agreement, or otherwiſe howſoever, but ſhall make and put in a full and perfect Anſwer and Anſwers to all the Parts thereof, and ſhall not, in ſuch Anſwer and Anſwers, inſiſt upon any Penalty, Forfeiture, Law or Statute, Bond, Covenant or Agreement, or alledge any Matter whatſoever, whereby to prevent, bar, or preclude the ſaid Company from the Diſcovery or Relief ſought or to be ſought by ſuch Bill or Bills as aforeſaid; but then, and in ſuch Caſe, the ſaid United Company do hereby conſent to wave and diſclaim all and all Manner of Penalties and Forfeitures, that ſhall or may, in any Kind or Degree whatſoever, accrue or incur to them, upon or by reaſon of any Diſcovery or Diſcloſure ariſing by the ſaid Anſwer or Anſwers of the ſaid Warren Haſtings, his Executors or Adminiſtrators; and the ſaid United Company, for themſelves and their Succeſſors, do agree to accept, and the ſaid Warren Haſtings doth, for himſelf, his Heirs, Executors, and Adminiſtrators, agree to account for, and pay or cauſe to be paid to, or to the Uſe of the ſaid Company, or their Succeſſors, as and for a full, ſtated, and adjuſted Compenſation and Satisfaction for the Damages ſuſtained by the ſaid Company, upon Account of the ſaid illicit Trade, the Sum of Fifty Pounds for every One hundred Pounds Value of all and every the Goods and Merchandizes traded or trafficked with, or for, contrary to the true Intent and Meaning hereof, and alſo of the Produce of the ſaid illicit Trade. Provided always, and it is hereby expreſsly covenanted, declared, and agreed between the Parties to theſe Preſents, and it is the true Intent and Meaning thereof, that in caſe the ſaid Warren Haſtings ſhall make Default in any of the Covenants herein before contained, or ſhall embezzle any of the ſaid Company's Money, Goods, or Effects, or be guilty of any Breach of Truſt towards the ſaid Company, or ſhall be concerned in buying, bartering, ſelling, or diſpoſing of any Artillery, Ordnance, Muſquets, Fire Arms, Ammunition, or Warlike Stores, to or for the Uſe of any Prince, Nabob, or Country Power in India, or of the Natives there, without the expreſs Licence of the ſaid Company, or their Court of Directors for the Time being, or a Majority of them, or of the ſaid Company's Preſident and Council, at the reſpective Settlement where ſuch buying, bartering, or ſelling ſhall be, or in caſe the ſaid Warren Haſtings ſhall, at any Time during the Continuance of theſe Preſents, without the like Licence and Authority as aforeſaid, hold Correſpondence with any Prince, Nabob, or Country Power in India, or any of their Miniſters, or ſhall ſupply, lend to, or procure for the Uſe of any Foreign Company trading in or to India, or any Perſon or Perſons trading under the Licence or Authority of ſuch Foreign Company, any Money, at Reſpondentia, or any other Security, Loan, or Engagement whatſoever; that then, and in each and every of the ſaid Caſes, it ſhall be lawful for the ſaid Company, and their ſaid Court of Directors for the Time being, or the Majority of them, or the Preſident and Council at the reſpective Settlement, where the ſaid Warren Haſtings ſhall be reſident or employed, and they are hereby reſpectively declared to have full Power and Authority for that Purpoſe, to ſuſpend, or wholly diſmiſs the ſaid Warren Haſtings from the ſaid Company's Service and Employment; the ſaid Warren Haſtings having firſt had Notice given him of ſuch his Offence or Default, and a reaſonable Time allowed him to make his Defence againſt the ſame, and having been convicted thereof. And it is hereby further expreſsly covenanted and agreed, by and between the ſaid Company, and the ſaid Warren Haſtings, that in caſe of ſuch Diſmiſſion as aforeſaid, or in caſe the ſaid Warren Haſtings ſhall, during the Continuance of theſe Preſents, be minded to quit or reſign the ſaid Company's Service, and ſuch Reſignation ſhall be accepted and agreed to by the ſaid Company or their Court of Directors, or their Preſident and Council at ſuch Settlement, where the ſaid Warren Haſtings ſhall reſide or be employed, that then, and in either of the ſaid Caſes of Diſmiſſion from, or voluntary Reſignation of the ſaid Service, it ſhall not be lawful for the ſaid Warren Haſtings to enter into any new or freſh Engagements, or Concerns whatſoever, in the Way of Trade, or Merchandize; but he ſhall wholly forbear and be prohibited therefrom; but nevertheleſs, the ſaid Warren Haſtings ſhall in any, or either of the ſaid Caſes be at Liberty and have Power and Authority to ſell and diſpoſe of

his Merchandizes and Effects, which he ſhall have on Hand, or which ſhall be then fairly and truly belonging to him, and to collect and get in ſuch outſtanding Debts as ſhall be then due and owing to him in Trade or otherwiſe. And for the more effectually carrying the ſaid laſt-mentioned Covenant and Agreement into Execution, It is hereby declared to be the true Intent and Meaning of theſe Preſents, and the ſaid Warren Haſtings doth hereby covenant, promiſe, and agree to and with the ſaid United Company, that in caſe of ſuch Diſmiſſion from, or quitting and reſigning the ſaid Company's Service and Employment, he the ſaid Warren Haſtings ſhall and will, within One Year after the ſame ſhall happen, or by the firſt Paſſage that can be obtained after the Expiration of the ſaid One Year, tranſport himſelf, together with his Family, to Great Britain, in ſuch Ship employed by the ſaid Company as ſhall be appointed for that Purpoſe, by the ſaid Company, or by their Court of Directors, or their Preſident and Council as aforeſaid; and ſhall not, nor will, upon any Account or Pretence whatſoever, ſtay or continue any longer in the Eaſt Indies; and moreover, in caſe the ſaid Warren Haſtings ſhall make Default in the ſaid laſt-mentioned Covenant, the ſaid Warren Haſtings doth hereby conſent and agree with the ſaid United Company, that from and immediately after ſuch Default, it ſhall and may be lawful for the ſaid Company, or their Court of Directors, or their Preſident and Council at the ſaid Settlement, where the ſaid Warren Haſtings ſhall reſide or be, to cauſe the ſaid Warren Haſtings to be apprehended and detained, and to put him and his Family on Board any Ship employed by the ſaid Company, for the Purpoſe of being tranſported to Great Britain; ſo nevertheleſs, that no unneceſſary Delay be ſought, nor any fit Occaſion or Opportunity loſt in ſo doing. And further, in caſe of ſuch apprehending, putting on Board, and tranſporting the ſaid Warren Haſtings and his Family, in Manner aforeſaid, the ſaid Warren Haſtings doth hereby covenant, promiſe, and agree, to and with the ſaid United Company, that he the ſaid Warren Haſtings, his Executors or Adminiſtrators, ſhall not, nor will commence, ſue, or proſecute the ſaid Company, or their Court of Directors, or any of their Preſidents and Council, Commanders or Officers of any ſuch Ship, or any other Perſon employed in any of the Matters aforeſaid, in or by any Action, Suit, or other Proſecution, civil or criminal, in reſpect of ſuch apprehending and detaining him the ſaid Warren Haſtings, or of putting on Board and tranſporting him the ſaid Warren Haſtings and his Family to Great Britain, in Manner aforeſaid; and in caſe any ſuch Action, Suit, or Proſecution ſhall be commenced, ſued, or proſecuted, for any of the Matters aforeſaid, the ſaid Warren Haſtings doth hereby covenant and agree, to and with the ſaid Company, that the General Iſſue may be pleaded, and that this preſent Indenture, or any other ſpecial Matter, may be given in Evidence by any of the Defendants in any ſuch Suit, Action, or Proſecution. Provided always, and laſtly, it is hereby covenanted, concluded, and agreed, by and between the ſaid Parties hereto, and it is their true Intent and Meaning, That if the ſaid Warren Haſtings ſhall continue in the ſaid Company's Service after the Expiration of the ſaid Term of Years, that ſuch Continuance ſhall be upon the ſame Terms, Conditions, and Agreements as are herein before made and agreed upon, for the ſaid Term of Years; ſave and except, that if the ſaid Warren Haſtings ſhall riſe to any ſuperior Place or Office than what he is hereby employed in or appointed for, that then he the ſaid Warren Haſtings, performing the Covenants aforeſaid, ſhall have and receive ſuch Wages as are uſually paid to Officers in the like advanced Stations, Places, or Employments. In Witneſs whereof the ſaid United Company have to one Part of theſe Indentures ſet their Common Seal; and the ſaid Warren Haſtings hath to the other Part of the ſaid Indentures ſet his Hand and Seal, the Day and Year firſt above written.

" Sealed and delivered (being ſtamped according to Act of Parliament) in the Preſence of us,

Warren Haſtings." (L. S.)

John Stewart.
John Belli.

Indorſed,

" I do acknowledge to have read the within written Covenants before I executed the ſame.

Witneſs, " Warren Haſtings."
John Stewart."

To prove the Means taken to put the Governor General above Temptation, the Witneſs produced Book 2, intituled " Bengal Diſpatches, 17th May 1766, to 16th March 1768."

Read, the following Extract of a General Letter from the Court of Directors to the Preſident and Council at Fort William in Bengal, dated the 20th of November 1767, beginning at Page 583 of the ſame.

112. " The large Proportion allotted to the Governor in the before mentioned Commiſſion of Two and One Half per Cent. is in Conſideration of his relinquiſhing, and not being concerned in any Trade whatever, even in Articles of Import and Export, and all Preſents or other Gratifica-

tions, as expreſſed in the Deed of Renunciation in your Proceedings of the 22d September 1767, which we approve and confirm, and direct that all Governors do execute the like Inſtrument on their entering into their Office. Our Inducement for annexing ſo great an Appointment to the Station of Preſident and Governor, is in full Expectation of his giving up his whole Time and Attention to the faithful Diſcharge of his Duty, and that, being excluded from all Trade himſelf, he may, and we accordingly depend that he be vigilant in watching and detecting all Abuſes committed by others.

Hy. Crabb Boulton,
John Stephenſon,
J. Creſwicke,
G. Colebrooke,
Jas. Cockburn,
Ben. Booth,
E. H. Cruttenden,
Geo. Wombwell,
Edwd. Wheler,
Willm. Snell,
Thos. Rous,
Thos. Saunders,
Geo. Dudley,
Pere. Cuſt,
Henry. Savage,
Robert Jones,
John Manſhip,
F. W. Barrington,
Luke Scrafton,
John Roberts,
J. Pardoe." (*a*)

To prove that the Abuſes in the Company's Service continued to encreaſe, notwithſtanding the Regulations made to prevent them, the Witneſs produced Book 176, intituled, " Bengal Diſpatches, 25th April 1771, to 10th December 1773."

Read, the following Extract from a General Letter from the Court of Directors to the Preſident and Council at Fort William in Bengal, dated the 7th of April 1773, beginning at Page 512 of the ſame.

21. " We wiſh we could refute the Obſervation, that almoſt every Attempt made by us and our Adminiſtrations at your Preſidency for the reforming of Abuſes, has rather increaſed them, and added to the Miſeries of the Country, we are anxious to protect and cheriſh. The Truth of this Obſervation appears fully in the late Appointment of Superviſors and Chiefs—inſtituted as they were, to give Relief to the induſtrious Tenants, to improve and enlarge our Inveſtments, to deſtroy Monopolies, and retrench Expences, the End has by no Means been anſwerable to the Inſtitution. Are not the Tenants more than ever oppreſſed and wretched? Are our Inveſtments improved? Has not the raw Silk and Cocoons been raiſed upon us 50 per Cent. in Price? We can hardly ſay what has not been made a Monopoly; and as to the Expences of your Preſidency, they are at length ſettled to a Degree we are no longer able to ſupport. Theſe Facts (for ſuch they are) ſhould have been ſtated to us as capital Reaſons why neither our Orders of 1771, nor indeed any Regulations whatever could be carried into Execution. But, perhaps, as this would have proved too much, it was not ſuggeſted to us, for nothing could more plainly indicate a State of Anarchy, and that there was no Government exiſting in our Servants in Bengal."

Read alſo, a further Extract from the ſame Book and ſame Letter, beginning at Page 515, as follows.

23. " And therefore, when Oppreſſion pervades the whole Country, when Youths have been ſuffered with Impunity to exerciſe Sovereign Juriſdiction over the Natives, and to acquire rapid Fortunes by monopolizing of Commerce, it cannot be a Wonder to us or yourſelves that Dadney Merchants do not come forward to contract with the Company, that the Manufactures find their Way through foreign Channels, or that our Inveſtments are at once enormouſly dear, and of a debaſed Quality.

24. " It is evident then that the Evils which have been ſo deſtructive to us, lie too deep for any partial Plans to reach or correct; it is therefore our Reſolution to aim at the Root of thoſe Evils, and we are happy in having Reaſon to believe that in every juſt and neceſſary Regulation we ſhall meet with the Approbation and Support of the Legiſlature, who conſider the Publick as materially intereſted in the Company's Proſperity.

25. " In order to effectuate this great End, the firſt Step muſt be to reſtore perfect Obedience and due Subordination to your Adminiſtration. Our Governor and Council muſt re-aſſume and exerciſe their delegated Powers upon every juſt Occaſion; puniſh Delinquents, cheriſh the meritorious, diſcountenance that Luxury and Diſſipation which, to the Reproach of Government, prevailed in Bengal. Our Preſident, Mr. Haſtings, we truſt, will ſet the Example of Temperance, Œconomy, and Application; and upon this, we are ſenſible, much will depend. And here we take Occaſion to indulge the Pleaſure we have in acknowledging Mr. Haſtings's Services upon the Coaſt of Choromandel, in conſtructing, with equal Labour and Ability, the Plan which

(*a*) Vide Appendix, N° XCI.

has

has ſo much improved our Inveſtments there; and as we are perſuaded he will perſevere in the ſame laudable Purſuit through every Branch of our Affairs in Bengal, he, in return, may depend on the ſteady Support and Favour of his Employers.

26. " Your Settlement being thus put into a Train of Reform (without which indeed all Regulations will prove ineffectual), you are next to revert to the old Syſtem, when the Buſineſs of your Preſidency was principally performed by our own Servants, who then had Knowledge of our Inveſtments, and every other Department of our Concerns; you will therefore fill the ſeveral Offices with the Factors and Writers upon your Eſtabliſhment; for with our preſent Appointments we are aſſured there will be ſufficient for this Purpoſe; and thus you will baniſh Idleneſs, and its Attendants, Extravagance and Diſſipation. And here we enjoin you to tranſmit to us a faithful and minute State of the Pay, and every known Emolument of all below Council; for as it is notorious that even Youths in our Service expend in Equipage, Servants, Dreſs, and Living, infinitely more than our ſtated Allowances can afford, we cannot but be anxious to diſcover the Means by which they are enabled to proceed in this Manner; and indeed ſo obnoxious is this Conduct to us, and ſo injurious in its Conſequences, that we expect and require you to ſhew your Diſpleaſure to all ſuch as ſhall tranſgreſs in this reſpect, contraſting it at the ſame Time with Inſtances of Kindneſs towards the ſober, frugal, and induſtrious."

Read alſo, a further Extract from the ſame Book and ſame Letter, beginning at Page 522 of the ſame, as follows:

28. "Having, as we conceive, fully inveſtigated the Cauſes of the Failure of our Inveſtments in Goodneſs, Price, and Quantity, and, much to our Concern, proved alſo, that almoſt every Stream has been polluted, we now arm you with our full Powers, to make a complete Reformation. The Taſk we are ſenſible will be arduous; but we rely on your Zeal for the Service of the Company; and as we have the Satisfaction to aſſure ourſelves, that you will not miſuſe the Powers we have delegated to you, we heſitate not to promiſe you our entire Support and Protection.

" Signed (at the End of the Letter)

J. Hurlock,	L. Sulivan,
George Tatem,	Ja. Cockburn,
Edwd Wheler,	Jo Michie,
Thos Rumbold,	Henry Fletcher,
J. Manſhip,	Pet. Laſcelles,
Joſhua Smith,	Ths Dethick,
Hy Crabb Boulton,	Chas Bodd."

The Managers for the Commons next ſtated the 24th Section of Stat. 13 Geo. III. c. 63.

To prove the Inſtructions given by the Court of Directors to their Governor General and Council in conſequence of the above-mentioned Statute, the Witneſs produced Book 58, intituled, " Bengal Diſpatches, 7th January 1774, to 15th December 1775."

Read, from Page 65 of the ſame Book, the following Extract of Inſtructions, from the Court of Directors of the United Company of Merchants of England trading to the Eaſt Indies, to Warren Haſtings Eſquire, Governor General, Lieutenant General John Clavering, the Honourable George Monſon, Richard Barwell Eſquire, and Philip Francis Eſquire, Counſellors conſtituted and appointed the Governor General and Council of the ſaid United Company's Preſidency of Fort William, in Bengal, by an Act of Parliament paſſed in the laſt Seſſion, intituled, " An Act for eſtabliſhing certain Regulations for the better Management of the Affairs of the Eaſt India Company, as well in India as in Europe."

" Signed	Edward Wheler,	Joſeph Sparkes,
	John Harriſon,	Pet. Laſcelles,
	Jno Woodhouſe,	Chs Boddam,
	Samuel Peach,	John Michie,
	Fredk Pigou,	Chas Chambers junior,
	Daniel Weir,	Rd Hall,
	Wm James,	John Smith,
	T. B. Rous,	George Tatem."
	George Cuming,	

Par. 31. " We direct, that you duly pay to the Governor General, to each of the Council, to the Chief Juſtice, and to each of the Judges, the ſeveral Salaries eſtabliſhed by the ſaid Act, obſerving, at the ſame Time, that thoſe ample Salaries given to them by Parliament, are to be

in lieu of all Fees of Office, Perquiſites, Emoluments, or Advantages whatſoever, and therefore that we are not to be at any further Expence on their Account; and as the Officers of the Court are to be allowed ſuch Salaries as ſhall be approved by the Governor General and Council, we recommend the ſtricteſt Frugality in that Reſpect, and direct that no greater Allowances be made to any of them than their reſpective Stations ſhall require.

Par. 32. " But, in conſideration of our Reſpect for Warren Haſtings Eſq. we direct that he continue to enjoy our principal Houſe, together with the Plate and Furniture both in Town and Country."

Read alſo, further Extract from the ſame Book, and ſame Inſtructions, beginning at Page 67, as follows.

Par. 35. " We direct that you immediately cauſe the ſtricteſt Enquiry to be made into all Oppreſſions which may have been committed either againſt the Natives or Europeans, and into all Abuſes that may have prevailed in the Collection of the Revenues, or any Part of the Civil Government of the Preſidency, and that you communicate to us all Information which you may be able to learn relative thereto, or to any Diſſipation or Embezzlement of the Company's Money." (*a*)

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide Appendix, N° XCII.

Die Martis, 12° *Maii* 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons ſtated, that previous to the laſt Piece of Evidence produced, namely, the Inſtructions ſent out by the Court of Directors to Mr. Haſtings, enjoining him to abſtain from the Receipt of Preſents, they wiſhed to have read a Letter from Mr. Haſtings to the Court of Directors, dated the 11th Nov. 1773, in which Mr. Haſtings expreſſes himſelf ſatisfied with the Regulations which ſet him out of the Reach of all Temptations; but that they had not been able to find it: There was, however, an Abſtract Book kept in the India Houſe of all Letters received, by which they offered to prove the Exiſtence of that Letter; that there was alſo a Copy of it in the Report of the Secret Committee of the Houſe of Commons, which, though they could not prove, upon Oath, to have been compared with the Original, and atteſted to be a true Copy, they ſubmitted, under all the Circumſtances of the Caſe, was admiſſible Evidence.

The Counſel for the Defendant objected, that the printed Reports of the Houſe of Commons were not Evidence of the Contents of any Inſtruments with which they have not been ſpecifically compared.

The Houſe aſked the Managers for the Commons, whether the Report was printed from the Original Letter, or from a Copy of it? And informed them, that it would be neceſſary for them to prove, firſt, that ſuch a Letter did exiſt; next, that no Original Letter was to be found; and laſtly, that the Paper produced was a Copy of the Original; till when, a Copy could not be given in Evidence.

Then Mr. ROBERT HUDSON was called in; and aſked,

Q. Have you made a Search in the Records of the India Houſe for a Letter of the 11th of November 1773?
A. I have.

Q. And you found no ſuch Letter?
A. I do not find it.

Q. Whether there is not an Abſtract Book kept at the India Houſe of all Letters received?
A. There is an Abſtract Book of Letters received in general—and an Article is entered in it, purporting to be an Abſtract of a Letter from Mr. Haſtings of the 11th November 1773.

Q. (*By a Lord.*) Have you that Abſtract Book?
A. I have.

Q. (*By Counſel.*) Who made that Abſtract?
A. I do not know. I know the Hand-writing.

Q. (*By a Lord.*) Who keeps the Book?
A. It is a Book kept in the Office for the Purpoſe of entering the Abſtracts of Letters received from Bengal.

Q. (*By a Lord.*) In whoſe Hand-writing?
A. It appears to be the Hand-writing of a Clerk in the India Houſe.

The Managers for the Commons ſtated, that as the Clerk was not attending, they would poſtpone the Conſideration of this Point for the preſent.

To prove Mr. Haſtings's own Senſe of the Act of Parliament, the Witneſs produced Book 178, intituled, "Copy of the complete Book of Correſpondence delivered in to the Board by Colonel Alexander Champion, with his Addreſs of the * February, recorded in Conſultation the 9th February 1775."

* Sic in Orig.

Read,

Read, a Letter from the Board at Fort William to Colonel Champion, dated 29th Auguſt 1774, beginning at Page 243 of the ſame Book.

" Sir,

" The honourable the Preſident and Select Committee, having thought proper to refer to our Conſideration your Letter to the Preſident of the 8th inſtant, with Copy of the Vizier's incloſed, informing him of a Donation of Seven Lacks of Rupees granted by the Vizier to the Army in actual Service under your Command, by his Obligation payable in Six Months, we have choſen to avoid any Diſcuſſion on the Propriety of this Meaſure, as we find ourſelves precluded from a Deciſion upon it by an expreſs Clauſe in the late Act of Parliament, tranſmitted us by the Honourable the Court of Directors, which prohibits the Servants of the Company, Civil or Military, from receiving any Preſents upon any Pretence whatſoever. For your better Information we ſend you incloſed a Copy of the ſaid Clauſe, which will doubtleſs appear to you a ſufficient Reaſon for us to refuſe our Aſſent to the Acceptance of this Gift.

" We are with eſteem,
Sir,
Your moſt obedient humble Servants,
(Signed) Warren Haſtings,
Wm. Alderſey,
P. M. Dacres,
James Laurell,
J. Graham,
N. Grueber."

" Fort William, the 29th Aug. 1774.

" Recd Septr. 22d.

Read, alſo, from the ſame Book, the following Letter from Mr. Haſtings to Colonel Champion, dated Fort William, 31ſt Auguſt 1774, beginning at Page 248 of the ſame Book.

[" Dear Sir,

" I received your Favour of the 8th inſtant on the 27th, as I was on the Point of diſpatching Letters which I had already written and cloſed to the Vizier, the Reſident, and yourſelf, on the Subject of the Vizier's Intentions communicated to me by Mr. Nath. Middleton, to reward the Services of the Brigade in the Manner in which your Letter informs me he has ſince carried into Execution. Your Letter placing the Subject in a new Point of View, determined me to ſuſpend my Diſpatches until I had taken the Senſe of the Members of the Committee upon their Contents. By their Advice I now forward to you the Letter which I had before prepared; and I am authoriſed by Meſſrs. Alderſey and Dacres to declare that they concur with me in the Sentiments therein expreſſed. Your Letter I have laid before them in Select Committee, and it was agreed to refer it to the Council at large, as we did not think ourſelves, as a Committee, authoriſed to give our Aſſent to the Donation, the Mode of it not being ſtrictly conformable to the paſt Reſolutions of the Board, nor, conſidered in reſpect to the Time, to the Order of the Court of Directors: It was accordingly referred, and the 'Board readily conſented to give their Sanction to the Vizier's Dona-'tion, and to empower the Troops to receive it. But they could not help diſapproving of the 'Manner in which this Tranſaction had been conducted, for the following Reaſons:—Becauſe it 'was more the Appearance of a Stipulation made for future Services, than a Return of Gratitude 'for paſt; becauſe, by the Declaration of the Vizier, which provides againſt a Refuſal on my 'Part, and by your own Publication of his Intention to the Army, notwithſtanding the Reſerve 'admitted of the Sanction of Government, the Government is in Effect precluded from deciding 'upon it; and becauſe in both theſe Points of View, the Donation is repugnant to the Senſe of 'the Court of Directors in the Order above alluded to.' In this Manner the Board had formed their Determination; but it did not then occur to us to conſult the new Act of Parliament; a Surmiſe on this Subject was only ſuggeſted before we broke up. Upon a Reference however to it, I was much diſappointed, and ſorry to find that our Intentions were entirely defeated by a Clauſe in the Act (to be in Force after the 1ſt Auguſt 1774) which *deprives us of the Power to grant, and expreſsly prohibits the Army to receive, the Nabob's intended Donation. I encloſe a Copy of this Clauſe, although I make no Doubt of your having received the Act from your Correſpondents. Agreeable to the poſitive Senſe of this Clauſe, notwithſtanding it is expreſſed individually, there is not a Doubt but the Army is included with all other Perſons in the Prohibition from receiving Preſents or Donations; a Confirmation of which is, that in the Clauſe of Exceptions, wherein " Counſellors at Law, Phyſicians, Surgeons, and Chaplains, are permitted to receive the Fees annexed to their Profeſſion," no Mention whatever is made of any Latitude given to the Army, or any Circumſtances wherein it would be allowable for them to receive Preſents. This Point, it ſeems, was particularly debated in the Houſe. Lord Clive ſtated the Caſes wherein he thought it would be proper and neceſſary to allow the Army to receive Gratuities or Preſents; but his Reaſoning was over-ruled, and no Exception admitted in favour of the Army. This unlucky Diſcovery of an Excluſion by Act of Parliament, which admits of no Abatement or Evaſion wherever its Authority extends, renders a Reviſal of our

* Sic in Orig.

Proceedings neceſſary, and leaves no Option to our Deciſion; it is not like the Ordinances of the Court of Directors, where a favourable Conſtruction may be put, and ſome Room is left for the Interpoſition of the Authority veſted in ourſelves; but poſitive and deciſive, admitting neither of Refinement nor Miſconſtruction. I ſhould be happy if, in this Inſtance, a Method could be deviſed of ſetting the Act aſide, which I ſhould moſt willingly embrace; but, in my Opinion, an Oppoſition would be to incur the Penalty.]☞ § (" The moſt eligible Plan that I can think of in " the preſent Circumſtances, is, for the Adminiſtration to receive the Sum intended by the Vizier " as a Donation to the Brigade, and depoſit it in the Company's Caſh; to proceed to the Cal- " culation of the Proportion due to each Individual of the Army; to make a public Record of " the Name of every Perſon entitled to a Share, with the exact Sum ſpecified which is due to " him; by which Means, if the Donation ſhould be admitted, the Right and Property of every " Individual will be exactly aſcertained, and fixed beyond the Poſſibility of any future Event to " alter, equally recoverable whether he may be in the Service or removed from it, and, in caſe of " Death, attainable to the Heirs or Executors of the Deceaſed. This appears to me the beſt Ex- " pedient for the Intereſt of the Army; but as I do not know your Sentiments upon it, nor the " general Senſe of the Army, I have not offered it to the public Conſideration of the Board. " The Propoſal, if approved, will come with greateſt Propriety from you; and I can venture " to aſſure you, that the Members of Adminiſtration will readily adopt it, and that they will " ſtrongly recommend the Vizier's Donation to the Approbation of the Court of Directors; " or, if the Power of granting Acceptance ſhould not be veſted in them, that the Parliament may " be petitioned in Favour of their Army. As I confidently hope that the Iſſue of ſuch an Ap- " plication would be favourable, the only Inconvenience to the Army will be the Delay in the " Payment of their Shares, which I ſhall endeavour to prevent from becoming a Loſs to them, " by propoſing the Payment of Intereſt for the Loan of their Money to the Company.—Since " writing the firſt Part of this Letter, the Board have re-conſidered the Subject of the Dona- " tion; and as it appeared to them that their former Reſolution, with their Remarks upon the " Mode of accepting the Donation, might ſuggeſt Arguments to invalidate the Claim of the " Army, which now muſt reſt upon a Reference home, they agreed to give up every Conſideration " reſpecting the Tranſaction of this Buſineſs to the Intereſt of the Army, and to ſuppreſs every " Circumſtance that might affect their Plea with the Court of Directors, reſting the Matter " ſolely upon the Act of Parliament, and entirely obliterating their former Proceedings. You " will, with this, receive a Letter from the Board, and with it a Copy of the Clauſe of the Act " of Parliament, which prevents me from ſending it, as I have mentioned above.

" I am, dear Sir,

" Your moſt obedient Servant,

" Fort William, the 31ſt Aug. 1774.

(Signed) Warren Haſtings.)"

" Rec^{d}. September 22d.

To prove the Orders given by the Court of Directors againſt the Receipt of Nazirs,

Read, from Book 58, already delivered in, the following Extract of a ſeparate general Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated the 15th December 1775, beginning at Page 779 of the ſame Book.

43 " As the Cuſtom of receiving complimentary Nazirs, or Preſents, is not only liable to Abuſe, but alſo contrary to the late Act of Parliament for regulating India Affairs, we much approve the Determination of the Majority to refuſe all ſuch Preſents; and direct that ſtrict Obedience be paid to the ſaid Act, not only by all the Members of our Council, but by every Perſon in our Service, and by all Britiſh Subjects reſiding in India under our Protection.

Signed (at the End of the Letter)

" Ch^{s} Boddam,	John Harriſon,
Pet. Laſcelles,	John Roberts,
Thos Rumbold,	Wm James,
J. Stables,	G. Wombell,
Edwd Wheler,	Robt Gregory,
Jn. Woodhouſe,	John Michie,
W. Devaynes,	Fred^{k} Pigou."

The Managers for the Commons ſtated, they ſhould next proceed to prove the Removal of Mahomet Reza Khan from the Office of Guardian to the Nabob—the Nature of that Office, and the Orders of the Court of Directors as to the Mode of filling it up.

Read,

Read, from Book 189, already delivered in, the following Extract of a Conſultation of the 28th April 1772, beginning at Page 93 of the ſame Book.

" Fort William, 28th April 1772.

Secret Dept.

" At a Conſultation; Preſent,

" The Right Honourable Warren Haſtings Eſquire, Preſident;

William Alderſey,
Philip M. Dacres,
Thomas Lane,
Richard Barwell,
James Harris,
James Lawrell,
Henry Goodwin,
John Graham,
} Eſquires.

Preſident's Minute informing the Board of the Seizure of Mahomed Reza Cawn and his Dewan.

" The Preſident informs the Board, that in conſequence of Orders received from the Secret Committee, by the Lapwing, and referred to in Paragraph the * of the general Letter from the Court of Directors which accompanied it, he has ſent Inſtructions to Mr. Middleton to arreſt the Perſons of Mahomed Reza Cawn, and Rajah Aumeret Sing his Dewan, and to ſend them under a Guard to Calcutta; that he has received Advice from Mr. Middleton, that the ſame has accordingly been put into Execution. This Letter to Mr. Middleton, and Mr. Middleton's in Reply, he deſires may ſtand on the Proceedings.

* Sic in Orig.

Signed (at the End of the Conſultation)

Warren Haſtings,
W. Alderſey,
Thomas Lane,
James Harris." (*a*)

Read, alſo, the following Extract of a Conſultation of the 7th of May 1772, beginning at Page 122 of the ſame Book.

" Fort William, the 7th May 1772.

Secret Dept. Thurſday.

" At a Conſultation; Preſent,

" The Honourable Warren Haſtings Eſquire, Preſident;

William Alderſey,
Philip M. Dacres,
Thomas Lane,
Richard Barwell,
James Harris,
James Lawrell,
Henry Goodwin,
John Graham,
} Eſquires.

" Resolved, The Secretary do collect from the general Letter the Subſtance of the Company's Charges againſt Mahomed Reza Cawn, digeſted into Articles of Accuſation, and lay them before the Board, that when they have received Approbation, a Publication may be made requiring all Perſons, who may have any Thing to offer upon theſe Matters, to produce them to the Preſident and Council at Fort William, as it would be improper that Mahomed Reza Cawn ſhould retain the Office of Naib Soubah, when he has been diveſted of his Station of Naib Dewan; and as it reſts with the Nabob to remove him from that Poſt, it is agreed that he ſhall be addreſſed by the Preſident. (*b*) (Not ſigned).

To ſhew the Nature of Mahomet Reza Khan's Office, the Witneſs produced Book 190, intituled, " Coſſimbazar Committee Circuit Proceedings at Kiſhenagur, 10th June to 17th September 1772, with Appendix."

Read, the following Extract from the Proceedings of a Committee of Circuit of the 11th July 1772, beginning at Page 208 of the ſame Book.

" Coſſimbazar, the 11th July 1772.

" At a Committee; Preſent,

" The Honourable Warren Haſtings, Preſident;

Samuel Middleton,
Philip Milner Dacres,
James Lawrell, and
John Graham,
} Eſquires.

" N° 6.

" The Office of Naib Soubah, according to its original Conſtitution, comprehends the Superintendency of the Nabob's Education, the Management of his Houſehold, the Regulation of his

(*a*) Vide Appendix, N° XCIII.

(*b*) Vide Appendix, N° XCIV.

Expences,

Expences, the Repreſentation of his Perſon, the Chief Adminiſtration of Juſtice, the iſſuing of all Orders, and Direction of all Meaſures which reſpect the Government and Police of the Provinces, the Conduct of all publick Negociations, and Execution of Treaties; in a Word, every Branch of Executive Government. We do not mention the Military Command, that having been by Treaty ceded to the Company: But even this great Charge cannot be wholly alienated from the Naib Soubah, if there is one, ſince, by virtue of his Office, it is his Name which muſt authoriſe every Act of Compulſion with regard to the European Companies.

(Signed at the End,) Warren Haſtings,
P. M. Dacres,
James Lawrell,
J. Graham." (*a*)

To prove the Orders of the Court of Directors relative to the Mode of filling up the above mentioned Office,

Read, from Book 176 already delivered in, the following Extract of a Letter from the Court of Directors to the Preſident and Council at Fort William, in Bengal, dated 28th Auguſt 1771, beginning at P. 107 of the ſame Book.

Par. 24. " Though we have not a Doubt but that by the Exertion of your Abilities, and the Care and Aſſiduity of our Servants in the Superintendency of the Revenues, the Collections will be conducted with more Advantage to the Company and Eaſe to the Natives, than by means of a Naib Duan, we are fully ſenſible of the Expediency of ſupporting ſome oſtenſible Miniſter in the Company's Intereſt at the Nabob's Court, to tranſact the political Affairs of the Circar, and interpoſe between the Company and the Subjects of any European Power, in all Caſes wherein they may thwart our Intereſt, or encroach on our Authority; and as Mahomet Reza Cawn can no longer be conſidered by us as one to whom ſuch a Power can ſafely be committed, we truſt to your local Knowledge, the Selection of ſome Perſon well qualified for the Affairs of Government, and of whoſe Attachment to the Company you ſhall be well aſſured.—Such Perſon you will recommend to the Nabob, to ſucceed Mahomed Reza, as Miniſter of the Government, and Guardian of the Nabob's Minority; and we perſuade ourſelves, that the Nabob will pay ſuch Regard to your Recommendation as to inveſt him with the neceſſary Power and Authority.

25. " As the Advantages which the Company may receive from the Appointment of ſuch Miniſter will depend on his Readineſs to promote our Views and advance our Intereſt, we are willing to allow him ſo liberal a Gratification as may excite his Zeal, and enſure his Attachment to the Company; we therefore empower you to grant to the Perſon, whom you ſhall think worthy of this Truſt, an annual Allowance, not exceeding Three Lacks of Rupees, which we conſider not only as a munificent Reward for any Services he ſhall render the Company, but ſufficient to enable him to ſupport his Station with ſuitable Rank and Dignity. And here we muſt add, that in the Choice you ſhall make of a Perſon to be the active Miniſter of the Nabob's Government, we hope and truſt, that you will ſhew yourſelves worthy of the Confidence we have placed in you, by being actuated therein by no other Motives than thoſe of the public Good, and the Safety and Intereſt of the Company.

26. " As the Diſburſements of the Sums allotted to the Nabob, for the Maintenance of his Houſehold and Family, and the Support of his Dignity, will paſs through the Hands of the Miniſter who ſhall be ſelected by you, conformable to our preceding Orders, we expect that you will require ſuch Miniſter to deliver annually to your Board a regular and exact Account of the Application of the ſeveral Sums paid by the Company to the Nabob.

" This you will ſtrictly examine; and we truſt that you will not ſuffer any Part of the Nabob's Stipend to be appropriated to the Miniſter's own Uſe, or waſted among the unneceſſary Dependants of the Court; but that the whole Amount be applied to the Purpoſes for which it was aſſigned by us.

Signed (at the End of the Letter)

Jn° Michie,	J. Purling,
Daniel Wier,	Geo. Dudley,
George Cuming,	Henʸ Savage,
Richᵈ Boſanquet,	Fredᵏ Pigou,
Edwᵈ Wheler,	L Sulivan,
J. Hurlock,	J. Manſhip,
John Roberts,	Ja. Cockburn,
Joſhua Smith,	Wᵐ James,
John Harriſon,	Peter du Cane junʳ."

To ſhew Mr. Haſtings's own Opinion of the Qualifications neceſſary for the Office of Guardian to the Nabob,

(*a*) Vide Appendix, N° XCV.

Read, from Book 12, already delivered in, the following Extract of a Conſultation, dated Fort William, 14th September 1775, beginning at Page 254 of the ſame Book.

Secret Dept. Thurſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" To the Honourable the Court of Directors, &c.

" You will expect, that in the Proceedings againſt the Begum the ſtricteſt Regard will have been paid to her Honour, and every ſcrupulous Attention obſerved which the Delicacy of the Oriental Manners preſcribes with reſpect to her Sex, and her Rank and Character particularly demand; and that in the Choice of her Succeſſor due Conſideration has been paid to the Requiſites for ſo diſtinguiſhed a Charge; that his Rank is ſuch as at leaſt may not wound the Nabob's Honour, or leſſen his Credit in the Eſtimation of the People, by the magiſterial Command which the new Guardian muſt exerciſe over him; with Abilities and Vigor of Mind equal to the Support of that Authority; and the World will expect that the Guardian be eſpecially qualified by his own acquired Endowments to diſcharge the Duties of that Relation, in the Education of his young Pupil, to inſpire him with Sentiments ſuitable to the Dignity of his Birth, and to inſtruct him in the Principles of his Religion.

(Signed at the End of the Letter)
" Warren Haſtings.

(Signed at the End of the Conſultation)
" Warren Haſtings,
J. Clavering,
Geo. Monſon,
R. Barwell,
P. Francis." (a)

The Managers for the Commons ſtated, that they ſhould next prove that Ahteram ul Dowlah, the Nabob's Uncle, applied to ſucceed to the abovementioned Office, and that Mr. Haſtings refuſed him, upon a Pretence which they would ſhew to be falſe.

Read, from Book 189, already delivered in, the following Extract of a Conſultation of the 21ſt May 1772, beginning at Page 152 of the ſame Book.

" Fort William, 21ſt May 1772.

Secret Dept. Thurſday.

" At a Conſultation; Preſent,
The Honourable Warren Haſtings Eſquire, Preſident;
William Alderſey, }
Philip M. Dacres, }
Thomas Lane, }
Richard Barwell, } Eſquires.
James Harris, }
James Lawrell, }
Henry Goodwin, }
Mr. Graham at the City.

" Read the following Letter from Moorſhedabad.

" To the Honourable Warren Haſtings Eſquire, Preſident and Governor, &c.—Members of Council in their Secret Department at Fort William.

" Honourable Sir and Sirs,

" Encloſed we tranſmit you a Copy of a Petition delivered to us by the Nabob Ahteram ul Dowla, and beg to ſubmit the Subject thereof to your Conſideration, remarking that we are informed he is, as he repreſents, the eldeſt ſurviving Branch of Meer Jaffier's Family. We muſt alſo obſerve to you the Neceſſity there is for ſpeedily appointing a Naib to the Nizamut, as the Buſineſs of that Department, particularly the Courts of Juſtice, as well here as in the Moffuſſul, is ſuſpended for want of a Perſon properly authoriſed to confirm the Decrees of the ſeveral Courts of Juſtice, and to paſs Sentence on Criminals, beſides various other Matters of Buſineſs wherein the Interpoſition of the Soubah is immediately neceſſary.

" We are, with Reſpect, &c.
Samuel Middleton,
George Hurſt,
John Bathoe,
Alexander Higginſon."

" Moorſhedabad,
May 18, 1772.

Signed, at the End of the Conſultation,
" Warren Haſtings, Thomas Lane,
Wm Alderſey, James Harris."

(a) Vide Appendix, N° XCVI.

Read, alſo, the following Extract from the ſame Book, and ſame Conſultation, beginning at Page 161 of the ſame Book.

" From Ateram ul Dowlah.

" From the bountiful Favour of the Engliſh Company, and the Friendſhip of their Governor and Council, the Nabob Meer Mahomed Jaffier Ally Cawn, my elder Brother, was appointed to the Soubahdarry of Bengal and Bahar, who in promoting the Welfare of the Company, and meriting the Approbation of the Governor and Council, exerted himſelf to the utmoſt. This was manifeſt to the Gentlemen and to the World. After the Nabob's Deceaſe, the Governor and Council having a Regard to his former Merits, and preſerving a Friendſhip for him, confirmed his Sons in the Succeſſion to the Soubahdarry. Mahomed Reza Cawn being now by the Orders of the Company diſmiſſed from his Office of Naib, the Bhegum ſent for me from Rejemchal, and ſays, " All the principal Relations of the Nabob Jaffier Ally Cawn being now deceaſed, there is no One left of ſufficient Rank and Maturity of Years to take Care of the Family—You are now the eldeſt of the Branch, do you conſent to take upon yourſelf the Office of Neabut Nizamut, for ſhould any Stranger be appointed, he will apply himſelf to the Acquirement of a Livelihood, whilſt our Affairs will be neglected, and ourſelves reduced to Diſtreſs." As in order to afford Satisfaction to the Family of the deceaſed Nabob, it is incumbent on me to exert myſelf to the utmoſt of my Power in the Management of the Affairs of the Nabob Mobarck ul Dowlah and the Bhegum, there being no other of Age ſufficient for the Truſt; ſo I am therefore hopeful that the Gentlemen of Council, will out of the Friendſhip of their Hearts appoint me to the Neabut Nizamut, or Naib under the Nizim, becauſe in that conſiſts the Satisfaction of the Nabob and Bhegum."

(A true Tranſlation).

Read, alſo, from Page 163 of the ſame Book, and ſame Conſultation, the following Extract.

" Ordered the Encloſure be entered after the Proceedings.

" The Board think it adviſeable for the preſent to ſuſpend their Choice of a Naib Soubah."

To ſhew the Pretences upon which Mr. Haſtings refuſed to appoint Ateram ul Dowlah,

Read, from Book 194, already delivered in, the following Extract of duplicate Copy of a Letter from the Governor General to the Secret Committee of the Honourable the Court of Directors for the Affairs of the Honourable United Eaſt India Company, dated 1ſt September 1772, beginning at Paragraph 11 of the ſame.

Par. 11. " The only Man who could pretend to ſuch a Truſt was the Nabob Yeteram o' Dowla, the Brother of Meer Jaffier; a Man indeed of no dangerous Abilities, nor apparent Ambition, but the Father of a numerous Family, who, by his being brought ſo nigh to the Muſnud, would have acquired a Right of Inheritance to the Subahſhip; and if only One of his Sons, who are all in the Prime of Life, ſhould have raiſed his Hopes to the Succeſſion, it would have been in his Power at any Time to remove the ſingle Obſtacle which the Nabob's Life oppoſed to the Advancement of the Family; the Guardian at leaſt would have been the Nazim while the Minority laſted, and all the Advantages which the Company may hope to derive from it, in the Confirmation of their Power, would have been loſt, or could only have been maintained by a Contention hurtful to their Rights, or by a Violence yet more exceptionable. The Caſe would be much the ſame were any other Man placed in that Station. The Truth is, that the Affairs of the Company ſtand at preſent on a Footing which can neither laſt as it is, nor be maintained on the rigid Principles of private Juſtice. You muſt eſtabliſh your own Power; or you muſt hold it dependant on a Superior, which I deem to be impoſſible.

" Coſſimbuzar, 1ſt September 1772. (Signed) " Warren Haſtings." (a)

To prove Mr. Haſtings's own Opinion of the Truth of the above Repreſentation,

Read, from Book 190, already delivered in, the following Extract of a Committee of the 28th July 1772, beginning at Page 282 of the ſame Book.

" Coſſimbazar, the 28th July 1772.

" At a Committee; Preſent,

" The Honourable Warren Haſtings Eſquire, Preſident;

Samuel Middleton,
P. Milner Dacres,
James Lawrell,
John Graham,
} Eſquires.

" The Preſident delivers in the following Minute.

" But whatever may have been the Conduct of Rajah Nundcomar in a different Station, and former Occaſions, the Preſident cannot form an Idea of any Danger to which the Company's

(a) Vide Appendix, N° XCVII.

Intereſts

Intereſts can be expoſed by his Influence with his Son in the Office which is now propoſed for the latter. No Situation of our Affairs could enable the Nabob, or any Perſon connected with him, to avail himſelf by any immediate or ſudden Act, of the ſlender Means which he has left to infringe our Power or enlarge his own. He has neither a military Force, Authority in the Country, foreign Connections, nor a Treaſury. A Deſign of ſuch a Nature (if ever practicable) can only take Effect by a long Train of concerted Events, and muſt be the uninterrupted Work of Years. But, as it has been repeatedly remarked, the Father having no Truſt or Authority, nor the Son Abilities equal to ſo great an Enterprize, the ſlighteſt Suſpicion will be ſufficient to remove the former, and fruſtrate every Hope of the Kind for ever.

(Signed at the End) " Warren Haſtings,
P. M. Dacres,
James Lawrell,
J. Graham."

The Managers for the Commons ſtated, they would next proceed to prove the Impropriety of the Appointment of Munny Begum, firſt, by ſhewing who ſhe was.

Read, from Book 11, already delivered in, the following Extract of a Conſultation of the 24th July 1775, beginning at Page 700 of the ſame Book.

" Fort William, the 24th July 1775.

Secret Dept. Monday.

" At a Conſultation; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, Philip Francis, } Eſquires.

" Every Day's News is tranſmitted you, from which you will be acquainted with all Particulars. I encloſe you a Paper containing an Account of the Bhegums of Jaffier Ally Cawn, and I hope you will ſend me a ſpeedy Anſwer.

Paper incloſed in the foregoing.

" Shah Chanim deceaſed was Siſter to the Nabob Mahabut Jung by the ſame Father, but different Mothers; ſhe married Meer Mahomed Jaffier Cawn, by whom ſhe had a Son and a Daughter, the Name of the former was Meer Mahomed Sadduc Ally Cawn, and the latter was married to Meer Mahomed Coſſim Cawn. Sadduc Ally Cawn had Two Sons and Two Daughters; the Sons Names are Meer Sydoo and Meer Sobeen, who are now living; the Daughters were married to Sultan Merza Daood.

" Buboo Bhegum, the Mother of the Nabob Mobareek ul Dowlah, was the Daughter of Summin Ally Cawn, and married Meer Mahomed Jaffier Cawn. The Hiſtory of Munny Bhegum is this: At a Village called Balcunda, near Sekindra, there lived a Widow who, from her great Poverty, not being able to bring up her Daughter Munny, gave her to a Slave Girl belonging to Summin Ally Cawn, whoſe Name was Biſſoo. During the Space of Five Years ſhe lived at Shahjehunabad, and was educated by Biſſoo after the Manner of a Dancing Girl. Afterwards the Nabob Shamut Jung, upon the Marriage of Ikram ul Dowlah, Brother to the Nabob Surage ul Dowlah, ſent for Biſſoo Beg's Set of dancing Girls from Shahjehanabad, of which Munny Bhegum was one, and allowed them 10,000 Rupees for their Expences, to dance at the Wedding. While this Ceremony was celebrating they were kept by the Nabob; but ſome Months afterwards he diſmiſſed them, and they took up their Reſidency in this City. Meer Mahomed Jaffier Cawn then took them into keeping, and allowed Munny and her Set 500 Rupees per Month; till at length finding that Munny was pregnant, he took her into her * own Houſe. She gave Birth to the Nabob Nijum ul Dowlah, and in this Manner has ſhe remained in the Nabob's Family ever ſince." (a)

* Sic in Orig.

To prove the Opinion of the Preſident and Council of the Appointment of her natural Son to the Government upon a former Occaſion, by Bribery and Corruption,

Read, the following Extract of a general Letter from the Board to the Select Committee of the Court of Directors, dated 30th September 1765, from the printed Evidence ſupra, Page 955.

" A Treaty was haſtily drawn up by the Board, or rather tranſcribed, with few unimportant Additions, from that concluded with Meer Jaffier; and a Deputation, conſiſting of Meſſrs. Johnſtone Senior, Middleton, and Leyceſter, appointed to raiſe the Natural Son of the deceaſed Nabob to the Subahdarry, in prejudice of the Claim of the Grandſon.

Signed, at the End, Clive,
Wm B. Sumner,
John Carnac,
H. Verelſt,
Fr Sykes."

(a) Vide Appendix, N° XCVIII.

To prove that Munny Begum had no Right to the Superiority of the Family, and that the Nabob had a Mother living who had a Right to it, but was diſpoſſeſſed by Mr. Haſtings, though ſhe had been placed in that Situation by the Order of the Council, the Witneſs produced Book 199, intituled, "1770, 1771, Bengal Country Correſpondence received."

Read, the following Letter from Mahomed Reza Cawn to the Governor General, dated May 22d.

"From Mahomed Reza Cawn, May 22d.

"With reſpect to your Excellency's Obſervations concerning the Begums, the true State of the Affair is this: The moſt reſpected of all Myr Jaffier's Begums, for Manners and Family, was the Mother of Sadek Aly Cawn. After the Death of Sadek Aly Cawn, as Nigim ul Dowlah was the next Son, his Mother roſe to the Preeminence. After Myr Jaffier's Death, when the Nezamet devolved to Nigim ul Dowlah, his Mother derived her Claims from her Son's Station as Nazim, and whilſt Syfe ul Dowlah poſſeſſed the Government, ſhe was upheld in the ſame Dignity. As Reſpect is due to all the Wifes * of Myr Jaffier, and the Mother of Nezim ul Dowlah has been conſidered in the Firſt Place by Two Brothers, perhaps it would be proper to give them an equal Share of Rank and Authority, though the Right is in the Mother of Mebarek ul Dowlah. Whatever your Excellency thinks moſt adviſeable, your Servant will, in Concert with Mr. Becher, execute and adviſe you thereof." * Sic in Orig.

Read, alſo, from the ſame Book, the following Letter from the Begum Baboo, dated June 15th.

"From the Begum Bebu, June 15th.

"I have received your moſt gracious Letter, acquainting me that you directed the Nabob Mahomed Reza Cawn and Mr. Becher to inveſt me with the Honours and R † of former Begums; and To-day, which is the 23d of Sefer, according to your Excellency's Commands, the Nabob and Mr. Becher viſited me in the Kellah, and gave me Charge of the Houſehold. I have not Words to acknowledge my Senſe of your Excellency's Favours, and hope for the Continuance of them." † Sic in Orig.

To ſhew that Baboo Begum was actually inveſted with the Superiority of her Family by Mahomed Reza Cawn, in Right of her being the Mother of the Nabob,

Read, alſo, a further Extract from the ſame Book, as follows:

"From Mahomed Reza Cawn, June 20th.

Acquainting the Governor of the above Tranſactions."

Read, alſo, a further Extract from the ſame Book, as follows:

"From Mebarek ul Dowlah, June 20th.

On the ſame Subject, and expreſſing his Satisfaction at the Regulation which has taken Place in his Family."

The Managers for the Commons ſtated, that the next Point they ſhould proceed to, was a negative Preſumption of Fraud in Mr. Haſtings, in as much he never informed the Directors, in the whole Courſe of his Correſpondence, that the Nabob had a Mother exiſting, much leſs that ſhe had filled the above Office, and that he had depoſed her.

The Witneſs was aſked,

Q. Whether you have examined the Records, and Mr. Haſtings's Correſpondence with the Court of Directors, relative to the Appointment of Munny Begum?
A. I have only read thoſe Letters from Mr. Haſtings at that Time, in the Year 1772.

Q. *(by a Lord.)* Have you read all the Letters from Mr. Haſtings from the Beginning to the End of that Year?
A. I have of the Year 1772.

Q. *(by Counſel.)* From Mr. Haſtings individually, and not from the Board?
A. From Mr. Haſtings individually, and not from the Board.

Q. *(by Managers.)* Have you examined any other Part of the Correſpondence than that of Mr. Haſtings alone to the Board, with the View that has been mentioned?
A. I have not.

 Q. Whether

Q. Whether you have found in Mr. Haſtings's Correſpondence, any Mention of the Exiſtence of ſuch a Perſon as the Mother of the Nabob, under the Name of Baboo Begum, or any other? —Did you look at it with that View?

A. Yes.

Q. Did you in looking over it find any mention of the Mother of the Nabob?

A. No, there is not.

The Managers for the Commons ſtated, they ſhould next proceed to prove the Reaſons aſſigned by Mr. Haſtings for the Appointment of Munny Begum, which they ſhould ſhew to be alſo falſe.

Read, from Book 190, already delivered in, the following Extract of the Proceedings of a Committee of the 11th July 1772, beginning at Page 206 of the ſame Book.

" Coſſimbazar, the 11th July 1772.

" At a Committee; Preſent,
The Honourable Warren Haſtings, Preſident;
Samuel Middleton,
Philip Milner Dacres,
James Lawrell, and
John Graham, } Eſquires.

Deliberations on the Appointment of the Nabob's Miniſters.

" The Committee having aſſembled this Day to conſider the Means of regulating the Nabob's Houſehold, One of the Points referred to them by the Inſtructions of the Board, in their Letter of the 4th of June," (*a*)

Read, alſo, from the ſame Book, Page 207, and ſame Proceedings, the following Extract:

Opinion.

" The Committee are fully ſenſible of the Expediency remarked by the Honourable Court of Directors, of holding out the Authority of the Country Government to the European Powers in all Caſes wherein their Intereſts may interfere with thoſe of the Company; but we humbly conceive, that when they are acquainted with all the Circumſtances which the Opportunity of preſent and local Information have offered to our Notice, they will judge with us, that it is neither neceſſary for that Purpoſe, nor adviſeable for other Reaſons, to delegate an extraordinary permanent Authority to any ſingle Miniſter of the Nabob; ſince any Man, of what Rank ſoever, may be occaſionally commiſſioned to treat on the commercial Concerns of the European Nations ſettled in theſe Provinces, according to the Cuſtom which has been invariably obſerved in ſuch Caſes with all the European Companies, the Engliſh alone, within theſe Fifteen Years, excepted; they were never allowed a perſonal Intercourſe with the Nabob but as a ſpecial Favour, nor even with his Miniſter, but tranſacted all Affairs by their Vackeels with the Muttaſuddees of the Durbar. In Matters reſpecting the Government and Peace of the Country, in which foreign Nations may be concerned, the Nabob's Mandate, under his Seal, will be a ſufficient Indication of his Pleaſure; and the Officers acting by his Authority in conſequence will receive the uſual Warrants in his Name, without any apparent Intervention of either the Controul or Influence of the Company. The Appointment therefore of a Naib Soubah for ſuch Purpoſes we judge unneceſſary; nor is it allowable to ſuppoſe that our Honourable Maſters would approve of our putting them to the Charge of an annual Salary of Three Lacks of Rupees to ſuch an Officer, merely for the Sake of giving Eclat to the Negociations, or authenticating the Privileges of their Rivals in Trade, if the Ends of an oſtenſible Miniſter can be equally anſwered by other Means, that ſhall not encroach in ſo great a Degree on the public Treaſure, or leſſen the Conſequence of our own Adminiſtration; but it is not only unneceſſary, it may be liable to much preſent Inconvenience, and to future Danger." (*b*)

Read, alſo, from the ſame Book, Page 210, and ſame Proceedings, the following Extract:

" On theſe Grounds we are of Opinion, that the Office of Naib Soubah be totally aboliſhed, that a Perſon not liable to the above Objections be appointed Guardian to the Nabob, and entruſted with the Care and Rule of his Family, and that a Dewan be alſo nominated, ſubject to the Controul of the former, who ſhall regulate and pay the Salaries of the Nabob's Servants, and keep the Account of his Expences, to be monthly tranſmitted to the Board, according to the Orders of the Honorable Court of Directors.

" Of the Magiſtracy we ſhall ſpeak in another Place.

" We know no Perſon ſo fit for the Truſt of Guardian to the Nabob as the Widow of the late Nabob Jaffier Ally Cawn, Minnee Begum; her Rank may give her a Claim to this Preeminence, without Hazard to our own Policy; nor will it be found incompatible with the Rules preſcribed to her Sex by the Laws and Manners of her Country, as her Authority will be con-

(*a*) Vide Appendix, N° XCV. (*b*) Vide Appendix, ibid.

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fined to the Walls of the Nabob's Palace, and the Dewan will act of courſe in all Caſes in which ſhe cannot perſonally appear. Great Abilities are not to be expected in a Zennana, but in theſe ſhe is very far from being deficient, nor is any extraordinary Reach of Underſtanding requiſite for ſo limited an Employ. She is ſaid to have acquired a great Aſcendant over the Spirit of the Nabob, being the only Perſon of whom he ſtands in any Kind of Awe; a Circumſtance highly neceſſary for fulfilling the chief Part of her Duty in directing his Education and Conduct, which appear to have been hitherto much neglected.

" Reſolved therefore, that it be recommended to the Board to appoint Minnee Begum to the Guardianſhip of the Nabob, and ſuperintending of his Houſehold.

(Signed) at the End,

" Warren Haſtings,
P. M. Dacres,
James Lawrell,
J. Graham." (*a*)

To prove that an Expence of Three Lacks was incurred in conſequence of the Appointment of Munny Begum,

Read, the following Extract of the Proceedings of a Committee of the 7th September, 1772, beginning at Page 504 of the ſame Book.

" Coſſimbazar, the 7th September 1772.

" At a Committee; Preſent,
" The Honourable Warren Haſtings Eſquire, Preſident;
Samuel Middleton,
Philip Milner Dacres,
James Lawrell, and
John Graham, } Eſquires.

" The Committee deliberating at the ſame Time on the Appointments neceſſary for the other Officers of the Nabob's Houſehold, lately eſtabliſhed by them, and paying proper Attention to the Orders of the Company, with regard to the Allowances to be granted to the oſtenſible Miniſter, who was to act in the Place of the Naib Subah, have agreed that the Sum of Three Lacks, limited for the above Purpoſes by theſe Orders, be divided in due Proportion among theſe Officers who are now ſubſtituted, inſtead of the ſaid Naib Subah and Naib Dewan.

" Reſolved therefore, that this Sum be diſtributed as follows:

	Rupees.
To the Begum, per Annum — — —	1,40,000
To Rajah Goordaſs, Dewan, and his Officers — —	1,00,000
To Rajah Rajebullub, Royroyan of the Khalſa, as per Proceedings of	60,000
Rupees	3,00,000

(Signed at the End)

Warren Haſtings,
P. M. Dacres,
James Lawrell,
J. Graham." (*b*)

To prove that the whole Powers of the Government were given to Munny Begum,

Read, the following Extract from the Proceedings of a Committee, dated Coſſimbuzar, 14th September 1772, beginning at Page 533 of the ſame Book.

" Coſſimbuzar, the 14th September 1772.

" At a Committee; Preſent,
The Honourable Warren Haſtings Eſquire;
Samuel Middleton,
Philip Milner Dacres,
James Lawrell, and
John Graham, } Eſquires.

" Agreed that the Preſident be deſired to write her an Anſwer.—He prepares it accordingly. It is approved of, and is as follows:

" To Munny Begum.

" You are undoubtedly the Miſtreſs to confirm, diſmiſs, and appoint whomever you ſhall think fit in the Service and Offices of the Nizamut; they are accountable to you alone for their Conduct, and no One ſhall interfere between you and them. Although I know that you in this Point have no View or Deſire but what is entirely conſiſtent with the Regard which you bear the Company, and the Continuance of that cordial Union and Connection of Intereſts which prevail between the Houſe of the Nabob and the Company, which, by the Bleſſing of God, have taken ſtronger Root

(*a*) Vide Appendix, N° XCV. (*b*) Vide Appendix, N° XCIX.

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than ever, ſince the Adminiſtration of the Affairs of the Nizamut hath been happily placed in your Hands, yet, in a Writing of this Kind, it is neceſſary that every Thing be clearly expreſſed, and therefore I beg leave to remark, that as the Dewan and Paſhker have received their Offices at the immediate Inſtance and Recommendation of the Company, it will be a Diminution of their Credit, and bear the Appearance of a Difference of Intereſt between us, if theſe Officers are removed but by the Concurrence of this Government.

(Signed at the End) Warren Haſtings,
James Lawrell,
J. Graham,
P. M. Dacres." (*a*)

To prove that the before mentioned Appointment of Munny Begum was againſt the Will of the Nabob,

The Witneſs produced Book 203, intituled, " Bengal Country Correſpondence, ſent from 7th January to 31ſt December 1772."

Read, the following Letter from Mr. Haſtings to the Nabob Mobarick ul Dowlah, beginning at Page 40 of the ſame Book.

" To the Nabob Mebareck ul Dowlah.

" In conſequence of the frequent Repreſentations from your Excellency of the preſent unſettled and diſorderly State of your Houſehold, and of my Promiſes to aſſiſt you in the arranging of it anew, I have conſulted with the Committee which is here preſent, and with the Council of Calcutta, and this is the Reſult of our Deliberation. That Miny Begum, the rightful Head of your Family, is the fitteſt Perſon to be intruſted with the Care of your Education, and the Management of your Houſehold.—She ſtands in the Place of your deceaſed Father, and is equally qualified by her Affection to you, and her Abilities, to execute this Truſt to your Honour and Advantage: I therefore, in Name and on Behalf of the Company, recommend to confer theſe Charges on Miny Bhegum, and as a truſty Mutſeddee will alſo be wanting to keep a regular Account of your Expences, I am further inſtructed to recommend Rajah Goordaſs, the Son of Mehor Rajah Nundcoomar, the ancient Servant of your late Father, and the approved Well-wiſher of your Houſe, to ſerve you and the Begum afore-mentioned in the Quality of Dewan.

" From the former Aſſurances you were pleaſed to give me that you would readily acquieſce in ſuch Arrangements as I ſhould recommend for the Adminiſtration of your Affairs, I make no Doubt but your Excellency will entirely aſſent to theſe Propoſitions; I therefore requeſt to know of your Excellency, when it will be agreeable that I wait on you with the Gentlemen of the Committee, to inform you further of the Sentiments of the Company and of the Council; and alſo to aſſiſt in carrying the Meaſures recommended by them, by your Concurrence, into immediate Execution, with the proper Forms, and in the moſt publick Manner, to ſhew the World, that in ſuch Matters as regard your Proſperity, there is but One Heart and One Intereſt between you and the Company."

To prove that the Nabob Mobarick ul Dowlah declined an immediate Acquieſcence to the foregoing Order, and deſired a perſonal Conference on the Subject of it,

The Witneſs produced Book 204, intituled, " Bengal Perſian Country Correſpondence received, from the 1ſt of January to the 30th December 1772."

Read, the following Letter from the Nabob Mobarick ul Dowlah to Mr. Haſtings, beginning at Page 102 of the ſame Book.

" From the Nabob Mebarek ul Dowlah. Received 17th Auguſt 1772.

" I have been made happy by the Receipt of your Favour, and have comprehended its Contents; as it's Anſwer depends upon a perſonal Interview, I flatter myſelf, that when agreeable to you to call on me, that * we ſhall be made happy by a Meeting with each other. For the reſt, &c."

* Sic in Orig.

Read, from Book 189, already delivered in, the following Extract of a Letter from the Committee of Circuit at Coſſimbazar, to William Alderſey Eſquire, and the reſt of the Council at Fort William, beginning at Page 491 of the ſame Book.

" Fort William, the 29th Auguſt 1772.

Secret Dept.

" At a Conſultation; Preſent,
William Alderſey Eſquire, Preſident;
Thomas Lane,
James Harris,
Henry Goodwin, } Eſquires.
Mr. Barwell indiſpoſed.

" To William Alderſey Eſquire, and the reſt of the Gentlemen of Council at Fort William.

" Gentlemen,

" We formerly adviſed you of our having, in conſequence of your Approbation, recommended to the Nabob the Appointment of Munnee Begum and Raja Goordaſs to the Offices aſſigned them

(*a*) Vide Appendix, N° C.

in

in our Reſolutions.—The Anſwer from his Excellency was not ſo direct as we could have wiſhed. He declared nothing poſitively as to his Intentions, but expreſſed his Wiſh to ſettle theſe Matters in perſonal Interview with us. We therefore determined to wait on him, and, as we knew his Indeciſion proceeded ſolely from the undue Influence of ſome People about him, we made no Doubt of bringing Matters to the Point we propoſed by an amicable Conference; accordingly we proceeded Yeſterday to the Kella, and had an Interview with the Nabob. After having opened the Conference, we deſired him to ſummon the Attendance of ſuch of the Officers of his Houſehold as we knew to be the Perſons who directed his Councils; we expoſtulated with them on the Impropriety of their Oppoſition, explained the Motives which influenced the Board in their Recommendation of theſe Appointments, and had the Satisfaction to obtain from the Nabob his entire Aſſent to them.

" Coſſimbuzar,
20th Auguſt 1772.

" Signed, Warren Haſtings,
Samuel Middleton,
P. M. Dacres,
James Lawrell,
J. Graham." (*a*)

Read, alſo, from the ſame Book, Page 493, the following Extract of another Letter from the ſaid Committee.

" To William Alderſey Eſquire, and the reſt of the Gentlemen of Council, at Fort William.

" Gentlemen,

" This accompanies an Extract of our Proceedings of this Date, containing a Plan which is ſubmitted to your Approbation, for the Diſtribution of the Huzzoor Zelahs, and the general Superintendance of the Collections.

" The Reaſons for the Separation which we have propoſed for the Huzzoor Zelahs will beſt appear in theſe Minutes; but it may not be unneceſſary to obviate the Objections which may poſſibly occur to the apparent heavy and diſproportionate Charge which we have aſſigned to Mr. Middleton.—The Propriety of his Appointment to the Reſidency at the Durbar, and Chiefſhip of Coſſimbuzar, we will not ſuppoſe to admit of any Doubt. The Diviſions which prevail in the Family of the Nabob, and the Reluctance with which the late Arrangements have been ſubmitted to by a Part of it, require the Preſence and conſtant Attention of a Perſon of Authority, to conciliate the former, and to ſupport the latter. This appears to be a Point of ſuch eſſential Conſequence, and more particularly in the Commencement of the new Eſtabliſhment, that we think Mr. Middleton cannot accompany the Committee in its Circuit, without manifeſt Hazard of leaving the Nabob's Affairs to fall into more Diſorder than that from which we have endeavoured to relieve them; and for this Reaſon we recommend that he be permitted to remain at the City, and that his Appointment to the Committee be revoked.

" Coſſimbuzar,
20th Auguſt 1772.

" (Signed) Warren Haſtings,
Sam[l] Middleton,
P. M. Dacres,
James Lawrell,
J. Graham." (*b*)

To prove the Reduction made in the Houſehold of the Nabob Mobarick ul Dowlah,

Read, from Book 194, already delivered in, the following Extract of a Letter from the Preſident and Council of Fort William, in Bengal, to the Court of Directors, bearing Date the 10th of November 1772.

" 11. The Reduction of the Nabob's Stipend, and the new Arrangement of his Houſehold in conſequence, was a Meaſure equally difficult and invidious in Execution; but beſides being indiſpenſable from your Orders, our Senſe of it's Wiſdom and Propriety made it be undertaken without Delay or Regret. To bring the Whole of the Expences of the Nizamut within the Pale of the 16 Lacks, it was neceſſary to begin with reforming the uſeleſs Servants of the Court, and retrenching the idle Parade of Elephants, Menageries, &c. which loaded the Civil Liſt. This coſt little Regret in performing; but the Preſident, who took upon him the chief Share in this Buſineſs, acknowledges he ſuffered conſiderably in his Feelings, when he came to touch on the Penſion Liſt; ſome Hundreds of Perſons of the ancient Nobility of the Country excluded, under our Government, from almoſt all Employments, Civil or Military, had, ever ſince the Revolution, depended on the Bounty of the Nabob; and near 10 Lacks were beſtowed that Way. It is not that the Diſtribution was always made with Judgement or * impartial, and much Room was left for a Reform; but when the Queſtion was to cut off entirely the greateſt Part, it could not fail to be accompanied with Circumſtances of real Diſtreſs. The Preſident declares, that even with ſome of the higheſt Rank, he could not avoid diſcovering, under all the Pride of Eaſtern Manners, the manifeſt Marks of Penury and Want. There was, however, no Room left for Heſitation; to confine the Nabob's Expences within the limited Sum, it was neceſſary that Penſions ſhould be ſet aſide:

* Sic in Orig.

(*a*) Vide Appendix, N° CI. (*b*) Vide Appendix, ibid.

It was done; and every poſſible Regard was had to Equity, and the Pretenſions of Individuals, in ſettling thoſe which were allowed to remain.

" 12. The Dependants of the late Naib Soubah were, without Exception, cut off the Liſt; and the Remainder of the Reduction chiefly confined to thoſe who were either of leſs Pretenſions or more Independance of Fortune than the old Penſioners. In ſhort, the whole Eſtabliſhment was adjuſted to the Nabob's new Income, beyond which the Begum was given to underſtand ſhe muſt not go. The general State of it was intended to be ſent; but, as it may be well imagined, the minute Houſehold Accounts of 32 Lacks could not be examined by the proper Officers in a few Days; the Preſident's Departure preſſed; they promiſed to ſend it after him; it is not yet come; but we hope to tranſmit it by one of the latter Ships.

(Signed) at the End of the Letter,

" Warren Haſtings,
R^t Barker,
W. Alderſey,
Thomas Lane,
Richd Barwell,
James Harris,
H. Goodwin." (*a*)

Then the Witneſs produced Book 2, intituled, " Bengal Secret Conſultations from 18th January to 30th December 1773."

Read, the following Extract of a Conſultation of the 25th January 1773, beginning at Page 17 of the ſame Book.

" Fort William, the 25th of January 1773.

Monday. Secret Dept.

" At a Conſultation; Preſent,
The Honourable Warren Haſtings Eſquire, Preſident;
Brigadier General Sir Robert Barker,
William Alderſey, John Reed, Henry Goodwin, William Lambert, } Eſquires.
Meſſrs. Lane and Barwell indiſpoſed.

" The Preſident lays before the Board the reduced Eſtabliſhment of the Nabob's Expences, with the following Minute.

" I have now the Satisfaction to lay before the Board the Account completed of the Eſtabliſhment fixed for the various Expences of the Nabob's Houſehold. For the readier Comprehenſion of the Reduction which has been made in thoſe Charges, the old and the new or reduced Eſtabliſhment, are drawn out in ſeparate Columns, with the Sums appertaining to each Head or Article of the Accounts in oppoſite Columns. The annual Amount of the Nabob's Expences, as they have hitherto ſtood, was Rupees 26,84,559 10. The Amount on the preſent Reduction is, 15,45,689 : 8; which comes within the preſent allotted Stipend, and leaves a Saving of 54,310 : 8. The Difficulty of adjuſting an Account of ſuch Magnitude, conſiſting of ſo many various Articles, and which furniſhed a Livelihood to near Ten thouſand Perſons, obliged the Committee when they parted at Coſſimbuzar to leave it unfiniſhed: I have ſince completed it with the Peſhkur of the Nizamut, whom I called down from the City for that Purpoſe.

Signed, at the End,

Warren Haſtings,
Wm Alderſey,
H. Goodwin." (*b*)

To ſhew the Number of Perſons included in the Reduction made in the Nabob's Eſtabliſhment,

Read, from Book 191, already delivered in, the following Extract of a Conſultation of the 21ſt February 1774, beginning at Page 482 of the ſame Book.

" Fort William, the 21ſt February 1774.

Monday. Separate Proceedings relative to Mahomed Reza Cawn.

" At a Conſultation; Preſent,
The Honourable Warren Haſtings Eſquire, Preſident;
William Alderſey, James Lawrell, Henry Goodwin, John Graham, George Vanſittart, } Eſquires.
The Dependants, &c. Servants.

(*a*) Vide Appendix, N° CII. (*b*) Vide Appendix, N° CIII.

Read,

Read, alſo, from ſame Book, Page 485, and ſame Conſultation, the following Extract.

" Abſtract of the foregoing Account.

	Men.	Women.	Horſes.	Rupees.	Number of Duſtak.
By the Duſtakeſt of Nabob Meer Jaffier	386	11	46	7,602 8	425
D°. of Mirza Mahmud Ertch Cawn	276	10	33	3,287 8	323
D°. of Nabob Naujimut Dowlah	8	6	—	2,338 8	19
D°. of Nabob Saiffa Dowlah —	10	—	1	358 8	15
D°. of Nabob Mohbarrick Dowlah	3	—	—	725	4
D°. of Muzaffur Jung — —	1437	90	181	41,488 13	686
Being in all	2120	117	261	55,800 13	1472

Signed at the End of the Conſultation,
Warren Haſtings, H. Goodwin,
W. Alderſey, J. Graham,
P. M. Dacres, George Vanſittart." (*a*)
James Lawrell,

To ſhew the premeditated Corruption of Mr. Haſtings in the Whole of the Tranſaction in queſtion, the Managers for the Commons ſtated, they would next produce an Order given by the Court of Directors, to have a ſtrict Account kept, by a proper Officer, of all the Expence in the Nabob's Family; that ſuch Account ſhould be tranſmitted to them; and Mr. Haſtings's Acknowledgement that he had kept no ſuch Account.

Read, from Book 11, already delivered in, the following Extract of a Conſultation of the 21ſt June 1775, beginning at Page 293 of the ſame Book.

" Fort William, the 21ſt June 1775.

" At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, Preſident; Secret Dept. Wedneſday.
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" General Clavering.—I beg Leave to move, That the Accomptant General, or the Accomptant of the Treaſury, be ordered to lay before this Board the annual Account which has been tranſmitted to the late Preſident and Council, or to the Governor General and Council, from Rajah Goordaſs, in conſequence of the Orders contained in the 26th Paragraph of the General Letter of the Court of Directors, of the Date of the 29th of Auguſt 1771, in the following Words: " As the Diſburſements of the Sums allotted to the Nabob for the Maintenance of his Houſehold and Family, and the Support of his Dignity, will paſs through the Hands of the Miniſter who ſhall be ſelected by you, conformable to our preceding Orders, we expect that you will require ſuch Miniſter to deliver annually to your Board, a regular and exact Account of the Application of the ſeveral Sums paid by the Company to the Nabob. This you will ſtrictly examine; and we truſt, that you will not ſuffer any Part of the Nabob's Stipend to be appropriated to the Miniſter's own Uſe, or waſted among the unneceſſary Dependants of the Court; but that the whole Amount be applied to the Purpoſes for which it was aſſigned by us."

" The Governor General.—I can ſave the Board the Trouble of this Reference, by acquainting them, that no ſuch Accounts have been tranſmitted, nor, as I can affirm with almoſt a certain Knowledge, any Orders given for that Purpoſe, either to Goordaſs, to whoſe Office it did not properly belong, nor to the Begum, who had the actual Charge and Reſponſibility of thoſe Diſburſements. This I am willing to acknowledge to have been an Omiſſion of the late Government, among, perhaps, many others, unavoidable in the Multiplicity and Importance of their other Duties; and perhaps leſs attended to in this Inſtance from the abſolute Impoſſibility to examine the Accounts, or draw from them the Uſes intended by this Order of the Honourable Company. I will anſwer for my own Part, that having given a great Part of my Time and Attention in the courſe of many Months, to form a new Eſtabliſhment of the Nabob's Expences, reduced within the Sum of his reduced Stipend, I had little Encouragement, had it ever occurred to me, to go through the annual Labour of ſcrutinizing and auditing the long Accounts of his actual Diſburſements.

Signed, at the End of the Conſultation, " Warren Haſtings,
J. Clavering,
Geo. Monſon,
Richd Barwell,
P. Francis."

(*a*) Vide Appendix, N° CIV.

The Managers for the Commons ſtated, that the next Piece of Evidence they would produce was ſeveral falſe Accounts made up by Mr. Haſtings, to ſhew that his Conduct in the foregoing Tranſaction was with a View to Peculation and Bribes.

Then the Witneſs produced Book 203, intituled, "Bengal Country Correſpondence ſent, from 7th January to 31 December 1772."

Read, the following Letter from Mr. Haſtings to the Nabob Mobarick ul Dowlah, dated 7th January 1772, beginning at Page 1 of the ſame Book.

"To the Nabob Mobareck ul Dowlah. Written 7th January 1772.

"As a Servant of the Engliſh Company, it is incumbent upon me to obey ſuch Directions as I may be honoured with, and to fulfil their Orders to the utmoſt of my Abilities; but I am ſorry to be the Channel of acquainting your Excellency with any Circumſtance that might occaſion your Anxiety, or to be myſelf the Source of Inquietude to your Heart; but as this is a Matter between the Servant and his Superiors, I am remedileſs. In the Letters which I have received from the Company by a Ship which is lately arrived from Europe, they have directed me to acquaint you, that they cannot conceive that either your Excellency's Time of Life, or your preſent Situation, can require ſo large an Allowance as you have hitherto enjoyed, and that during your Nonage, they are in * Opinion that the Sum of 15,81,991 9 Sicca Rupees per Annum will fully anſwer every Purpoſe, and maintain you with that Dignity which your Station requires. I am accordingly to acquaint you that you will hereafter receive the ſaid Sum of Money for the Defrayment of your Expences; and I flatter myſelf that upon your attaining the Age of 21 Years, the Company will further conſider your Situation, and make ſuch an Addition to the preſent 15,81,991 9 Rupees as it may appear to them to require."

* Sic in Orig.

Read, alſo, the following Extract of a Letter from Mr. Haſtings to the Nabob, dated 18th July 1772, beginning at Page 35 of the ſame Book.

"To the Nabob Mebareck ut Dowlah. 18th July 1772.

"In compliance with the Deſire of the Council, I take the Liberty of writing to your Excellency on a Subject which immediately concerns your own Welfare and the Order and Œconomy of your domeſtic Affairs. They obſerve with great Concern, that notwithſtanding the Notification from the Board to your Excellency by the Letter of Mr. Cartier ſo long ago as the Month of January laſt, of the Reduction of your Revenue to 16 Lacks, your Eſtabliſhment and current Expences ſtill continue on the Footing of your former Allowance. They think it therefore their Duty to remind your Excellency of this Reduction which at † it proceeds from the poſitive Orders of the Company, it admits neither of Recall or Mitigation. The Receipt of Mr. Cartier's Letter, which your Excellency regularly acknowledged, fixes the Date of its Commencement; it takes place from that Time." (*a*)

† Sic in Orig.

Read, alſo, the following Letter from Mr. Haſtings to the Nabob, beginning at Page 39 of the ſame Book.

"To the Nabob Mebareck ul Dowlah.

Written 7th Auguſt 1772.

"I am favoured with the Letter of your Excellency, dated the 21ſt ultimo, in reply to that which I had the Honour to write you of the 18th.

"I have liſtened with all due Attention to the Repreſentations you have been pleaſed to make on the Subject of the Reduction of your yearly Revenue, and the Circumſtance of the Arrears due upon it: I muſt repeat to your Excellency, that the Orders of the Company are ſuch as cannot be diſpenſed with by their Governor here; and concerning the Arrears, I have to requeſt of your Excellency, that you would be pleaſed to iſſue your Orders to Jooderam, and the other Officers of the Nizamut, to prepare and deliver to me the Accounts of the Receipts and Diſburſements of the Fund of 16 Lacks, yearly appropriated to the Pay and Expences of your Sepoys, Retinue, &c. according to which the Arrears ſhall be paid up to the 15th of the Month of Shawall; from which Time, agreeable to the Information given your Excellency in my former Letter, the new Arrangements are deemed to take place.

"I requeſt of your Excellency, that you will give Orders that theſe Accounts be delivered without Delay, that I may be enabled, in conjunction with the Committee, to take ſuch Steps for a new Arrangement of your Houſehold, as may prevent in future Inconveniencies ſimilar to thoſe in which you are now involved."

Read, from Book 177, already delivered in, the following Extract of a Letter from Mr. Haſtings to the Court of Directors, dated Fort William, 25th March 1775.

"Your Order for the Reduction of the Nabob's Stipend was communicated to him in the Month of December 1771. He remonſtrated againſt it, and deſired it might again be referred to

(*a*) Vide Appendix, N° CV.

the

the Company. The Board tacitly acquieſced in his Remonſtrance, and the ſubſequent Payments of his Stipend were made as before: I might eaſily have availed myſelf of this Plea: I might have treated it as an Act of the paſt Government with which I had no Cauſe to interfere, and joined in aſſerting the Impoſſibility of his defraying the vaſt Expence of his Court and Houſhold without it; which I could have proved by plauſible Arguments, drawn from the actual Amount of the Nizamut and Behla Eſtabliſhments; and both the Nabob and the Begum would have liberally purchaſed my Forbearance. Inſtead of purſuing this Plan, I carried your Orders rigidly and literally into Execution. I reduced the Nabob's Stipend from the Date on which the Firſt Notification of it was made to him: I undertook myſelf the laborious and reproachful Taſk of limiting his Charges from an Exceſs of his former Stipend to the Sum of his reduced Allowance; and I had the Satisfaction of viewing the Nabob in a State of Magnificence, ſuitable to his Dignity, within a Twelvemonth after, at Plaſſey, where he had met me the Year before with every Appearance of Indigence and Meanneſs. For this too I can appeal to many Gentlemen of your Service who were Witneſſes of the Nabob's Condition in both the Periods which I have related.

(Signed at the End of the Letter)

Warren Haſtings." (*a*)

Then the Witneſs produced Book 7, intituled, "Bengal Secret Council, from 24th March to 31ſt May 1775."

Read, the following Extract of a Conſultation of the 25th May 1775, beginning at Page 2,306 of the ſame Book.

"Fort William, the 25th May 1775.

Secret Dept. Thurſday.

"At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, Philip Francis, } Eſquires.

"Account current of the Nabob Mobarik ul Dowlah, from the Time of his Acceſſion to the Muſnud to the 16th Auguſt 1772.——Cr.

"For annual Stipend due to him from 1ſt May 1770 to 16th Auguſt 1772, at 31,81,860 per Annum, for 27 Months 16 Days, is — —	73,00,601	— —

"Fort William, 11th May 1775.
"(Errors excepted)
Signed Chas Croftes,
Accompt. Gen. to the Revenue Dept." (*b*)

Read, alſo, the following Extract from the ſame Conſultation, beginning at Page 2,307 of the ſame Book.

"Account current of the Nabob Mobarick ul Dowlah, from 17th Auguſt 1772, to the End of February 1775.

"For Amount of annual Stipend due to him, at the Rate of 31,81,860 per Annum, agreeable to the old Eſtabliſhment, from 17th Auguſt to 31ſt December 1772, is Four Months — — —	11,84,359	— —

"Fort William, 11th May 1775.
"(Errors excepted)
Signed Chas Croftes,
Accompt. Gen. to the Revenue Dept." (*c*)

Read, the following Extract of a Conſultation of the 12th June 1775, from Book 11, already delivered in, beginning at Page 115 of the ſame.

"Fort William, 12th June 1775.

Secret Dept. Monday.

"At a Conſultation; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Philip Francis, Richard Barwell, } Eſquires.

"The Board alſo recur to the Nabob's Account delivered in by the Accountant General to the Revenue Department in Conſultation of the 25th ultimo.

(*a*) Vide Appendix, N° CVI. (*b*) Vide Appendix, N° CVII. (*c*) Vide Appendix, ibid.

" The Governor General informs the Board, that there appears to him a very material Error in the Account current with the Nabob, ſigned by Mr. Croftes, and now before the Board, Credit being therein given to the Nabob for his Stipend, according to the old Eſtabliſhment, to the 31ſt of December 1772; whereas it was expreſsly ſettled by the Committee of Circuit in July or Auguſt 1772, at the Time that the Governor was with the Committee at Moorſhedabad, that the reduced Stipend ſhould take place from the Day on which the Nabob received the formal Notification of the Company's Orders on that Subject from Mr. Cartier, which was in December 1771 or January 1772; that he thinks this Miſtake ought to be rectified before the Accounts are finally adjuſted with the Nabob." (*a*)

Read, alſo, the following Extract from the ſame Conſultation, beginning at Page 117 of the ſame Book.

" Agreed that the Miſtake be notified to Mr. Goring, and that he be informed of the Day on which the reduced Stipend of the Nabob took place." (*b*)

Read, alſo, from the ſame Book, Page 118, and ſame Conſultation, the following Extract.

" The following Letter is written to Mr. Goring in Conformity to the foregoing Reſolutions.

" To Mr. Cha'. Goring.

" Sir,

" But for the further Illuſtration of the Nabob's Accounts, we think it neceſſary to acquaint you of an Error in the Account ſigned by Mr. Croftes, wherein Credit has been given to the Nabob for his Stipend, agreeable to the Old Eſtabliſhment, up to December 1772, whereas the Reduction to Sixteen Lacks ſhould have taken Place from the 21ſt January 1772, the Day on which the Orders of the Company for that Reduction were notified to the Nabob." (*c*)

Read, from Book 12, already delivered in, the following Extract of a Conſultation of the 4th September 1775, beginning at Page 138 of the ſame Book.

" Fort William, the 4th September 1775.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
Richard Barwell,
Philip Francis, } Eſquires.

" Honourable Sir and Sirs,

" Indiſpoſition preventing the Attendance of Mr. Croftes at the Office, I take the Liberty to acknowledge the Honour of your Commands tranſmitted the 16th inſtant, by your Aſſiſtant Secretary, under Date 13th. In compliance with the Spirit of which, (Want of Materials preventing Compliance with the Letter) I have drawn out the two accompanying Accounts, N° 1 and 2; and Firſt, ſtating the Nabob Mebareck ul Dowlah's Account with the Honourable Company, from the Period expreſſed in your Commands to the lateſt Periods poſſible, the 30th April 1775; the Second an Annual Account of Payments made to the Nabob, during the Periods that Mr. Middleton acted as Reſident at Durbar, drawn up from his own Accounts as tranſmitted to the Preſidency.

(Signed) Rich[d] Johnſon,
D. A. Gen[l] Rev. Dep."

Signed (at the End of the Conſultation)

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
R. Barwell,
P. Francis."

(*a*) Vide Appendix, N° CVIII. (*b*) Vide Appendix, ibid. (*c*) Vide Appendix, ibid.

Read,

Read, alſo, the following Extract, from the ſame Conſultation, beginning at Page 144 of the ſame Book.

" Dr. Nabob Mobarek ul Dowlah.

1772.			1772.	
January	To Amount paid him by the Compy Council of Revenue at Moorſhedabad, from this Date to the 8 Septr. 1772 — — — —	25,16,007 : 4 : 17	January 1ſt.	By Arrears due to him upon the old Eſtabliſhment to this Date — —	19,24,935 : 12 : 8 : 1
	Balance due to the Nabob	4,17,817 : 5 : 16	Septr 8th.	By Stipend agreeable to the new Eſtabliſhment, from January 22 to this Date, making 7 Months, 17 Days — — —	10,08,888 : 14 : 4 : 3
	Sa Rupees	29,33,824 : 10 : 13		Sa Rupees	29,33,824 : 10 : 13

30 April 1775.

Signed, at the End of the Account,
Richd Johnſon, D. A. R. D." (a)

Read, from Book 189, already delivered in, the following Extract of a Conſultation of the 14th December 1772, beginning at Page 653 of the ſaid Book.

" Fort William, the 14th December 1772.

" At a Conſultation; Preſent, Secret Dept. Monday.

The Honourable Warren Haſtings Eſquire, Preſident;
Brigadier General Sir Robert Barker,
John Reed,
Thomas Lane,
Richd Barwell,
James Harris,
} Eſquires.

Mr. Reed, being returned from Madraſs, takes his Seat at the Board.
Meſſrs. Alderſey and Goodwin indiſpoſed.
Mr. Lambert, being arrived at the Preſidency, having taken the uſual Oaths, is admitted to his Seat at the Board.

" By the laſt Account you will pleaſe to obſerve, that there is a Balance due to his Excellency of Sicca Rupees 19,78,556 : 6 : 1 : 1, in Part of which an Advance was made by Order of the Committee, of Rupees 300,000, which reduces the Balance to Sicca Rupees 16,78,556 : 6 : 1 : 1; and I have ſince made another Payment of 5 Lacks; and I hope to receive your Orders to pay off the Whole when the State of your Treaſury here will admit of it.

Signed at the End,

" Moidapore, Nov. 18, 1772. Samuel Middleton." (b)

Read, alſo, the following Extract from the ſaid Conſultation, beginning at Page 659 of the ſame Book.

" The Nabob's Debt, as per his Account — — —		20,24,224 : — : 5
Deduct what was paid by his Treaſurers, but what was omitted in his Account — — — — — —		2,57,254 : 8 : 19 : 2
Total Amount of the Nabob's Debts —		17,66,969 : 7 : 5 : 2
Total Amount of the Nabob's Debts brought forward —		17,66,969 : 7 : 5 : 2
Balance due to the Nabob from the Co, as per his Account ——	19,78,556 : 6 : 1 : 1	
Deduct paid to his Treaſurers, but omitted in his Account — —	2,57,254 : 8 : 19 : 2	
Due to the Nabob — —		17,21,301 : 13 : 1 : 3
Deficient — — — — — — — —		45,667 : 10 : 3 : 3
Nabob's Debts — — — — — —		10,13,071 : 14 : 3 10,11,152 : 2 : 2
		20,24,224 : — : 5
Due from the Company — — — — —		19,78,556 : 6 : 1 : 1
Deficient — — — — — — —		0,45,667 : 10 : 3 : 3
Add Aſſignment on the Zemindars — — — —		2,43,353 : 9 : 9 : 1
Overplus which the Nabob will have after diſcharging his Debts		1,97,685 : 15 : 5 : 2

(a) Vide Appendix, N° CIX.

(b) Vide Appendix, N° CX.

Apparent

Apparent Balance	—	—	—	—	—	19,78,556 : 6 : 1 : 1
Aſſignment unpaid	—	—	—	—	—	2,43,353 : 9 : 9 : 1
Actually due to the Nabob	—	—	—		—	22,21,909 : 15 : 10 : 2

" Agreed that Mr. Middleton be directed to diſcharge the Arrears of the Nabob's Account, as well as of the others mentioned in his Letter, as ſoon as the State of his Caſh will permit; and

" Ordered, That a Copy of theſe Reſolutions, with a Copy of the Nabob's Account, be tranſmitted by our Secretary to Mr. Middleton for his Guidance.

" Warren Haſtings,
R^t Barker,
John Reed." (*a*)

To prove that the Accounts were regularly kept during the Government of Nudjum ul Dowlah and Sief ul Dowlah, but that during the Time of Mobarick ul Dowlah, the Account was a general Account of the whole Payments to the Nabob, without Date or Particulars;

Read, from Book 78, already delivered in, the following Extract of a Conſultation of the 27th of December 1775, beginning at Page 448 of the ſame Book.

" Fort William, the 27th of December 1775.

Secret Dept. Wedneſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Philip Francis Eſquire.

" Read, the following Letter from the Sub-accountant.

" Agreeable to your Orders I was furniſhed with the Account currents with the Honourable Company, the Nabob Mobareck ul Dowlah, and his Predeceſſors Syef ul Dowlah, and Nudjim ul Dowlah, and have now the Honour to incloſe for your Information the following.

(Signed at the End of the Letter)
" Wm. Larkins, Sub-accountant.

(and at the End of the Conſultation)
" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Rich^d. Barwell,
P. Francis." (*b*)

Read, alſo, the following Extract of the ſame Conſultation, beginning at Page 452 of the ſame Book:

" D^r. Nabob Nudjum ul Dowlah—his general Account current with the Honourable Company.

1765, April. " To Campaign Operations.

" For the Amount which he agreed to pay Monthly from the Death of the Nabob Meer Jaffier, as in Treaty, dated March 1765, from the 1ſt of February to the 30th April 1765, at 5,00,000 per Month — — — 15,00,000

1766, April. To Nabob Jaffier Ally Cawn.

" Account Monthly Payments for the Amount of Balance of that Head transferred — — — 16,69,758 : 7 : 9

" To Campaign Operations.

" For the Amount due upon his Treaty of Five Lacks of Rupees per Month, for defraying the Expences of the Army, from the 1ſt of May to the 30th September 1765, is Five Months — — — 25,00,000

Current Rupees 56,69,758 : 7 : 9

" Fort William, 27th Dec. 1765. (Signed) William Larkins, Sub-accountant." (*c*)

(*a*) Vide Appendix, N° CX. (*b*) Vide Appendix, N° CXI. (*c*) Vide Appendix, ibid.

Read,

Read, alſo, the following Extract of the ſame Conſultation, beginning at Page 456 of the ſame Book.

" Dr. Nabob Syef ul Dowlah in Account current with the Honourable Company.

	" To Treaſury.	Sa. Rs.	Curr. Rs.
" 1766, May.	Paid him from 10th May 1766, to 10th April 1767, is Months 11 and 1 Day. Bengal Year 1173 — —	40,85,672: 8:15:2	47,39,380: 2:6
" 1767-8, April.	Do. a 11th April 1767, to 10th April 1768. Bengal Year 1174	28,49,236: 1: 5	33,05,113: 13:6
" 1768-9, April.	Do. a 11th April 1768, to 10th April 1769. Bengal Year 1175	31,67,289: 9:15:3	36,74,055: 15 —
" 1769-70, April.	Do. a 11th April 1769, to 20th March 1770, is Months 11 and 10 Days. Bengal Year 1176	24,15,193: 9 —	28,01,624: 8:6
		1,25,17,391: 12:16:1	1,45,20,174: 7:6
	To Balance	2,56,916: 4:17:3	2,98,022: 14:9
		1,27,74,308: 1:14	1,48,18,197: 6:3

" Fort William,
27th Dec. 1775.

Errors excepted.
(Signed) Wm. Larkins,
Sub-accountant." (a)

Read, alſo, a further Extract of the ſame Conſultation, beginning at Page 458 of the ſame Book, as follows:

" Dr. Mobareck ul Dowlah, in Account with the Honourable Company.

" To Khalſa Treaſury.	Sa. Rupees.	Ct. Rupees.
" For the Amount advanced him from the 21ſt March 1770, to 10th May 1775 —	1,26,64,306: 6: 12: 3	1,46,90,595: 7

Errors excepted.
" Fort William,
27th Decemr. 1775.
(Signed) Wm. Larkins,
Sub-accountant." (b)

The Managers for the Commons ſtated, they ſhould next produce the Remarks of the Court of Directors upon the afore-mentioned Accounts.

Read, from Book 108, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated 24th December 1776, beginning at Page 275 of the ſame Book.

" Par. 28. The diſordered State of the Finances of Mobarech ul Dowlah, and the Negligence of our late Adminiſtration reſpecting Accounts and Money Tranſactions with him, are Events ſo extraordinary, and likely to be attended with Conſequences ſo very diſagreeable, that we cannot paſs them over without the ſtrongeſt Animadverſion.

" 29. By the Report of our late Preſident, and his Arrangement of the Nabob's Houſehold, as it ſtands on Conſultation in January 1772, we were led to hope that even from the reduced Stipend a conſiderable annual Saving would be made, and that our Preſident's Recommendation and ſtrict Injunctions to the Begum and to the Nabob's Duan, would have prevented any Deviation from that Arrangement.

" 30. We find the Arrears due from the Company to the Nabob in January 1772, are ſtated at no leſs than Sicca Rupees 19,24,935, and that during the Reſidence of Mr. Middleton at Moorſhedabad, from January 1772 to October 1774, the whole Amount paid to the Nabob was 69,90,680 Sicca Rupees.

" 31. Your Sub-accomptant ſtates the Amount overpaid to the Nabob, from April 1772 to October 1774, at Rupees 17,85,893, which Sum we apprehend muſt include the Arrears above mentioned; but ſuppoſing this to be the Caſe, an empty Treaſury and the Nabob's clamorous Creditors indubitably prove that an immenſe Sum has been miſappropriated between January 1772 and October 1774; and from the Confuſion of his Accounts, occaſioned by the Want of a proper Officer near his Perſon to conduct the Affairs of his Houſehold, though we have ſufficient Proofs before us, that the Nabob's Domeſticks and Attendants muſt have been deeply concerned in plundering their Maſter, we are aware that it will be very difficult to aſcertain ſuch particular Facts, as may enable him to bring them to Juſtice, and we fear it is utterly impoſſible to recover any Part of the large Sums embezzled or miſappropriated.

(a) Vide Appendix, N° CXI. (b) Vide Appendix, ibid.

" 32. Not-

" 32. Notwithſtanding ſuch vaſt Sums have been carried to the Nabob's Account, over and above his Stipend, in ſo ſhort a Space of Time, we obſerve, that in May 1775 there was not a Rupee in his Treaſury, though there were Demands upon him to a large Amount. This Circumſtance alone, were there no other Improprieties in the Conduct of Munny Begum, would juſtify her Removal from the Office of Guardian to the Nabob; becauſe it is evident, that under her immediate Superintendance, great Part of his Allowance muſt have been embezzled, or very groſsly miſapplied.

" 33. We are the more at a Loſs to account for this immoderate Overpayment to the Nabob, becauſe we obſerve on Country Correſpondence a Letter from Governor Cartier, dated 7th January 1772, notifying the Reduction of his Stipend in the moſt formal and ſolemn Manner; and by a Minute of the Governor General on Secret Conſultations of 12th June 1775, it appears that the Committee of Circuit abſolutely determined that the ſaid Reduction ſhould take Place from the Time of ſuch Notification.

" 34. The Reſident at the Durbar, who has been the Principal Agent in this Buſineſs, could not be ignorant of the above Reſolution, becauſe he was a Member of the Committee; and it was the indiſpenſable Duty of our Preſident and Council, not only to have taken Care, that regular and frequent Accounts of the Advances made by the Reſident at the Durbar to the Nabob were laid before them, but alſo of the Expenditure of his Stipend, which ſhould have been tranſmitted to us for our Information; and we muſt conclude, that if they had done their Duty in this Reſpect, ſuch unaccountable and extenſive Errors could not have happened in the Accounts, the Effects whereof muſt operate to our Diſadvantage, as we do not find that his Stipend will enable him to diſcharge the Debts he has incurred; and when we conſider that the large Overplus paid to the Nabob has really been diſſipated in his Infancy, and muſt either be a dead Loſs to the Company, or tend to diſtreſs him exceedingly, by putting him under large Stoppages, though his real Wants are neceſſarily increaſing, as he grows up to Manhood, we cannot but manifeſt our Reſentment at the Conduct of thoſe of our Servants, whoſe Remiſſneſs has, in this Inſtance, involved both the Company and the Nabob in ſuch great Inconveniencies.

Signed (at the End of the Letter)

John Stables,
Frd^k Pigou,
R^d Hall,
W. G. Freeman,
Ja^s Moffatt,
Richd Beecher,
Samuel Peach,
John Roberts,
Wm James,
Daniel Weir,
Robt Gregory,
George Tatem,
George Cuming,
John Harriſon."

To ſhew that Mr. Croftes was placed in the Department of Accomptant General by Mr. Haſtings himſelf,

Read, from Book 189, already delivered in, the following Extract of a Conſultation of the 29th Auguſt 1772, beginning at Page 496, in the ſame Book.

" Fort William, the 29th Auguſt 1772.

Secret Dept.

" At a Conſultation; Preſent,
William Alderſey Eſquire, Preſident;
Thomas Lane,
James Harris,
Henry Goodwin,
} Eſquires.
Mr. Barwell indiſpoſed.

" Extract of the Proceedings of the Committee of Circuit, at Coſſimbuzar, the 20th Auguſt 1772.

Page 510. " That it be recommended to the Board to confer this Office on Mr. Charles Croftes, the preſent Accomptant of the Board of Revenue, whoſe Diligence and Practice in that Buſineſs, and the particular Inſtructions of the Honourable the Court of Directors, juſtly intitles him to that important Charge."

Read, alſo, the following Extract of the ſame Conſultation, from Page 519 of the ſame Book, as follows.

" The Board, concurring with the Committee of Circuit in the Propriety of the ſeveral Appointments abovementioned, reſolve to confirm them; and there being no Perſon nominated as the additional Member of the Coſſimbuzar Council to reſide at Commercolly, and have Charge of the Diſtricts thereunto annexed by the Committee.

Signed (at the End)

Richd Barwell,
W. Alderſey,
Thomas Lane,
James Harris."

" To prove the further Degree of Favour and Confidence in which Mr. Croftes ſtood with Mr. Haſtings at this Time, and that he conferred upon him another lucrative Office,

Read,

Read, from Book 183, already delivered in, the following Extract of a Conſultation of 10th March 1773.

" Fort William, the 10th March 1773.

" At a Conſultation; Preſent,

Pub. Dept. Thurſday.

The Honourable Warren Haſtings Eſquire, Preſident;

William Alderſey,
P. M. Dacres,
Thomas Lane,
James Lawrell,
Henry Goodwin,
John Graham,
William Lambert,
Geo. Vanſittart,
} Eſquires.

Meſſrs. Reed and Barwell indiſpoſed.

" The Board proceed to take into Conſideration the filling up the Vacancies occaſioned at the Preſidency by the Appointment of the new Collectors.

" Agreed the following Appointments be made.

" The Honourable Charles Stuart, Mint Maſter;
Mr. William Pawſon, Military Paymaſter General;
Mr. John Shakeſpeare, Secretary to the Select Committee;
Mr. Alexander Higginſon, Import Warehouſe-keeper;
Mr. John Hannay, Paymaſter to the Works;
Mr. William Redfearn, Perſian Tranſlator;
Henry Vanſittart, Aſſiſtant to ditto;
John Carmichael, Deputy Military Paymaſter General;
John Davis, Commiſſary to the Troops in Garriſon;
Henry Lodge, Clerk to the Commiſſioners of Commerce;
Mr. William Bruere, Sub Import Warehouſe-keeper;
Robert Palk, Regulator of the Police;
Charles Croftes, Sub Treaſurer;
William Cator, Accomptant to the Commiſſioners of Works."

Signed (at the End of the Conſultation) " Warren Haſtings, H. Goodwin, William Alderſey, J. Graham, P. M. Dacres, W. Lambert, Thomas Lane, George Vanſittart." James Lawrell,

To prove, that immediately after the Death of Colonel Monſon, when Mr. Haſtings had a much greater Degree of Influence in the Council, he proceeded to grant a further Salary to Mr. Croftes in Addition to what he had given him before, and carried a Reſolution that he ſhould draw for that Salary for Two Years back, with Intereſt on that Part of it which had not been paid him,

The Witneſs produced Book 187, intituled, " Bengal Revenue, 29th November to 31ſt December 1776."

Read, the following Extract of a Conſultation of the 6th December 1776, beginning at Page 203 of the ſame Book.

" Fort William, the 6th December 1776.

" At a Council; Preſent,

Rev. Dept. Friday.

The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell Eſquire.
Lieutenant General Clavering indiſpoſed.
Mr. Francis indiſpoſed.

" Reconſidered Mr. Charles Croftes's Letter of the 23d December 1774, and entered on the Proceedings of the 15th Auguſt 1775.

Read, alſo, a further Extract of the ſame Conſultation, beginning at Page 209 of the ſame Book, as follows:

" Mr. Barwell.—I move that the Office of Accomptant General be put on the ſame Footing as the Superintendant of the Khalſa Records, and that Mr. Croftes be allowed to draw henceforward the ſame Salary and Houſe Rent, as is drawn by the Superintendant of the Khalſah.

" Governor General.—I agree.

" Reſolved, That the Office of Accomptant General be put on the ſame Footing as the Superintendant of the Khalſah Records; and that Mr. Croftes be allowed to draw henceforward the ſame Salary and Houſe Rent as is drawn by the Superintendant.

(Signed at the End of the Conſultation) " Warren Haſtings,
Rich[d] Barwell." (*a*)

(*a*) Vide Appendix, N° CXII.

Read, from Book 205 already delivered in, the following Extract of a Letter from the Governor General at Fort William to the Court of Directors, dated 10th January 1777, beginning at Page 591 of the ſame Book.

" Par. 3. In the 9th Paragraph of our Letter by the Shrewſbury, we acquainted you of our having placed the Office of Accomptant General to this Department on the ſame Footing with that of the Superintendant of the Khalſa Records. Mr. Croftes having applied to us to be allowed this Indulgence from the Date of his Application to the Board in December 1774, we have conſented to grant him a conditional Bond for the Amount of his Arrears; that is, the Difference between his late Pay and Allowance, and the Allowance lately granted, from the 4th December 1774 to the 6th December 1776, bearing Intereſt at the Rate of 5 l. per Cent. per Ann. from the 4th December 1776, payable on the 1ſt Day of Auguſt 1778; in caſe the Payment of it ſhould not be forbidden before that Time by your Honourable Court.

Signed (at the End of the Letter) " Warren Haſtings,
J. Clavering,
Rich[d] Barwell,
P. Francis."

To ſhew that Mr. Croftes, at the ſame Period of Time, was alſo added to a Commiſſion for ſettling the Account of all the Lands throughout the Provinces,

Read, from Book 187 already delivered in, the following Extract of a Conſultation of the 6th of December 1776, beginning at Page 210 of the ſame Book.

" Governor General.—Among the different Materials which will come before the Board for their Guidance in forming the enſuing Settlement, the accurate and diſtinct Accounts which are kept in the Office of the Accomptant General to the Revenue will form a conſiderable Part. Theſe will require to be compared and elucidated with the Accounts which may be procured from the Diſtricts. In this Branch of the Buſineſs I am deſirous of obviating the Inconveniencies of frequent and formal Applications for Papers to the Accomptant's Office. I wiſh alſo to benefit by the Abilities and Knowledge of Mr. Croftes, which have been honoured with repeated Teſtimonies of the Company's Approbation, and from which, ſince the Removal of the Khalſah, I have derived eſſential Aſſiſtance; and I therefore propoſe that the Accomptant General to the Revenue Department be joined to the Gentlemen already appointed to prepare and arrange the Materials for a new Settlement, for the ſpecial Purpoſe of aſſiſting in forming ſuch Accounts as have a Reference to the Offices now under his Charge, and for the general Conduct of the Detail of the new Office, ſo far as his other Duties will permit.

(Signed) Warren Haſtings."

" Agreed, That the Accomptant General be accordingly joined to Meſſ. Anderſon and Bogle, for the Purpoſes mentioned in the Governor General's Minute.

Signed (at the End of the Conſultation) " Warren Haſtings,
Rich[d] Barwell." (*a*)

To prove what was the Eſtabliſhment of the Commiſſion to which Mr. Croftes was appointed,

Read, the following Extract of a Conſultation of the 12th November 1776, from Book 206, Page 445, already delivered in.

" Fort William, the 12th November 1776.

" At a Council; Preſent,

Rev. Dept. Tueſday. The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell, Philip Francis, } Eſquires.
Lieutenant General Clavering indiſpoſed.

" The Governor General recommends the following fixed Eſtabliſhment for the Office propoſed in his Minute of the 1ſt inſtant.

" Eſtabliſhment for the Office.

" Mr. David Anderſon, Mr. George Bogle, } Superintendants, at 1,200 R[s]. each } 2,400

Signed, at the End of the Conſultation,
" Warren Haſtings,
Rich[d]. Barwell,
P. Francis."

The Managers for the Commons ſtated, they had concluded this Head of Preſumptive Evidence.

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide Appendix, N° CXII.

Die Jovis, 14° Maii 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons informed the Houſe, they ſhould next proceed to the Proof of the Receipt of Three Lacks and an Half of Rupees by Mr. Haſtings, ſtated in this Article; and for that Purpoſe ſhould produce the Charges made by Nundcomar before the Council, and the Evidence adduced by him in ſupport of thoſe Charges; introductory to which, they would lay before the Houſe ſome Evidence to prove the Situation Nundcomar previouſly held, the Manner in which he had been employed by Mr. Haſtings by the Order of the Court of Directors, and Mr. Haſtings's inconſiſtent Conduct towards him.

Then Mr. ROBERT HUDSON was again called in; and produced the following Letter from the Secret Committee of the Court of Directors to Warren Haſtings Eſquire, dated the 28th of Auguſt 1771.

The ſame was read, as follows.

" Sir,

" By our General Addreſs you will be informed of the Reaſons we have to be diſſatisfied with the Adminiſtration of Mahomet Reza Cawn, and will perceive the Expediency of our diveſting him of the Rank and Influence he holds as Naib Duan of the Kingdom of Bengal. But though we have declared our Reſolution in this Reſpect to our Preſident and Council, yet as the Meaſures to be taken in conſequence thereof might be defeated by that Miniſter, and all Enquiry into his Conduct rendered ineffectual, were he to have any previous Intimation of our Deſign, we, the Secret Committee, having the moſt perfect Confidence in your Judgement, Prudence, and Integrity, have thought proper to entruſt to your eſpecial Care the Execution of thoſe Meaſures, which alone can render the Naib's Conduct ſubject to the Effect of a full Enquiry, and ſecure that Retribution which may be due on the Detection of any Fraud, Embezzlement, or colluſive Practice, in his publick or private Tranſactions.

" In order therefore to make him amenable to a due Courſe of Juſtice, and to prevent the ill Conſequences which might reſult from the Reſentment and Revenge which he may conceive on the Knowledge of our Intentions, we hereby direct and enjoin you (immediately on the Receipt of this Letter) to iſſue your private Orders for the ſecuring the Perſon of Mahomet Reza Cawn, together with his whole Family, and his known Partizans and Adherents, and to make uſe of ſuch Meaſures as your Prudence ſhall ſuggeſt for bringing them down to Calcutta; and it is our Pleaſure, that they by no Means be ſuffered to quit the Place, until Mahomet Reza Cawn ſhall have exculpated himſelf from the Crimes of which he now ſtands charged or ſuſpected, or ſhall have duly accounted for the Revenues collected by him in the Chucklah of Dacca, and have made Reſtitution of all Sums which he may have appropriated to his own Uſe, either from the Duanny Revenues, or the Nabob's Stipends, and until he alſo ſhall have ſatisfied the Claims of all ſuch Perſons, as may have ſuffered by any Act of Injuſtice or Oppreſſion committed by him in the Office of Naib Duan.

" As the Detection of any corrupt Practices of which Mahomet Reza Cawn may have been guilty, and the Retribution which in ſuch Caſes is to be required of him, are equally the Objects of publick Juſtice and the Company's Intereſt, we aſſure ourſelves that you will ſedulouſly endeavour to penetrate into the moſt hidden Parts of his Adminiſtration, and diſcover the Reality of the ſeveral Facts with which he is charged, or the Juſtneſs of the Suſpicions we have of his Conduct.

" In this Reſearch your own Judgement will direct you to all ſuch Means of Information as may be likely to bring to Light the moſt ſecret of his Tranſactions; we, however, cannot forbear recommending to you, to avail yourſelf of the Intelligence which Nundcomar may be able to give reſpecting the Naib's Adminiſtration; and while the Envy which Nundcomar is ſuppoſed to bear this Miniſter may prompt him to a ready Communication of all Proceedings which have come to his Knowledge, we are perſuaded that no ſcrutable Part of the Naib's Conduct can have eſcaped the watchful Eye of his jealous and penetrating Rival.

" Hence we cannot doubt but that the Abilities and Diſpoſition of Nundcomar may be ſucceſsfully employed in the Inveſtigation of Mahomet Reza Cawn's Adminiſtration, and bring to Light any Embezzlement, Fraud, or Malverſation which he may have committed in the Office of Naib Duan, or in the Station he has held under the ſeveral ſucceſſive Subahs; and while we aſſure ourſelves that you will make the neceſſary Uſe of Nundcomar's Intelligence, we have ſuch Confidence in your Wiſdom and Caution, that we have nothing to fear from any ſecret Motives or Deſigns, which may induce him to detect the Mal-adminiſtration of one whoſe Power has been the Object of his Envy, and whoſe Office the Aim of his Ambition:—for we have the Satisfaction to reflect, that you are too well apprized of the Subtlety and Diſpoſition of Nundcomar to yield him any Truſt or Authority, which may be turned to his own Advantage, and prove detrimental to the Company's Intereſt.

" Though we have thought it neceſſary to intimate to you how little we are diſpoſed to delegate any Power or Influence to Nundcomar, yet, ſhould his Information and Aſſiſtance be ſerviceable to you in your inveſtigating the Conduct of Mahomet Reza Cawn, you will yield him ſuch Encouragement and Reward, as his Trouble and the Extent of his Services may deſerve.

" In our General Advices we deemed it adviſeable to mention only, that we had received Information of Mahomet Reza Cawn's having increaſed the Calamities of the Poor, during the Height of Famine, by a Monopoly of Rice and other Neceſſaries of Life. We were indeed reſtrained from an open Communication on this Subject, fearing the Conſequences which might enſue from the Miniſter's Revenge, ſhould he learn by whom ſuch Accuſation had been brought againſt him; but perſuaded, as we are, of your Secrecy and Diſcretion, we herewith tranſmit to you Extract of a Letter from Huzzeramul to Robert Gregory Eſquire, wherein Mahomet Reza Cawn is charged with a Crime of ſo atrocious a Nature; and we the rather adviſe you of Huzzeramul's Information, as we rely on your Endeavours to obtain full Evidence reſpecting the Truth of this Allegation, as well as of ſuch others as are the Objects of the Scrutiny we have directed to be made into the Naib's Conduct.

" Senſible as you muſt be of the Importance of the Charge thus confidentially committed to you, we ſhall not ſeek to animate your Zeal for the Company's Welfare; but obſerve only, that, by the effectual Execution of the ſeparate Truſt repoſed in you, you will at once render the Company a ſignal and eſſential Service, and approve yourſelf worthy of the Opinion we have formed of your Judgement, Prudence, and Integrity, and which we have ſo fully manifeſted, in ſelecting you to preſide in the Adminiſtration of the Government of Bengal.

" We are,
Your loving Friends,

" London,
28th Auguſt, 1771.

" Lau. Sulivan,
Fredk Pigou,
Henry Savage,
J. Purling,
Geo. Dudley,
John Manſhip,
John Harriſon."

Read, from Book 190, already delivered in, the following Extract of the Proceedings of a Committee of Circuit of the 11th July 1772, beginning at Page 211 of the ſame Book.

" Coſſimbazar, the 11th July 1772.

" At a Committee; Preſent,
The Honourable Warren Haſtings, Preſident;
Samuel Middleton,
Philip Milner Dacres,
James Lawrell, and
John Graham,
} Eſquires.

" The Preſident propoſes Rajah Goordaſs, the Son of Maha Rajah Nundcomar, for the Office of Dewan to the Nabob's Houſhold. The inveterate and rooted Enmity which has long ſubſiſted between Mahomet Reza Cawn and Nundcomar, and the Neceſſity of employing the Vigilance and Activity of ſo penetrating a Rival to counteract the Deſigns of Mahomet Reza Cawn, and to eradicate that Influence which he ſtill retains in the Government of this Province, and more eſpecially in the Family of the Nabob, are the ſole Motives for this Recommendation. The Honourable Company, in their Letter by the Lapwing, order, that both " Mahomed Reza Cawn, and every Perſon employed by or in Conjunction with him, or acting under his Influence, ſhall be diveſted of any further Charge or Influence in the Collections;" and they further direct, that a ſtrict Scrutiny be made into his Conduct in the Exerciſe of his Office of Naib Soobah, from the Suſpicion of his having been " equally unfaithful in the Diſcharge of that Truſt."

" It is very evident from theſe Orders, that it was the Intention of the Court of Directors to make an entire Reformation in the Government of theſe Provinces, and to begin with the Abolition of that Authority which had been eſtabliſhed in it during the Courſe of the laſt Seven Years. Indeed, if this had not been expreſſed, it muſt neceſſarily have been implied in their Commands; ſince it was not to be expected that a new Plan of Government could effectually take place while the Influence of the former ſubſiſted. The ſame Man, 'till lately, had the Charge of the Nabob's Houſehold, the ſole Application of his vaſt Stipend, the Adminiſtration of Juſtice, and the Collection of the Revenues of the Province; in a Word, every Branch of the Adminiſtration was centered in the Perſon of Mahomed Reza Cawn. It is true that his Authority was much diminiſhed in the Collections by the Inſtitution of the Superviſors; but he ſtill retained an Influence in moſt Parts of the Province; and on ſome his ſecret Power was even ſuperior to that of the Superviſor. In the Direction of the Nabob's Houſhold he acted without Check or Control; the Nabob's Servants were all of his Appointment, his Creatures and Dependants; theſe ſtill continue in Charge of the Nabob's Perſon, and in Poſſeſſion of his Mind, which they may be naturally ſuppoſed to bend to ſuch Inclinations and Purpoſes as may beſt ſuit the Views and Intereſts of their Patron.

" Theſe Reaſons will juſtify the Nomination of a Man to ſupply the Place of the late Naib Soobah, who is known to be his moſt violent Opponent, and moſt capable of oppoſing him. It is not pretended that theſe Ends are to be obtained merely from the Abilities of Rajah Goordaſs; his Youth and Inexperience render him, although unexceptionable in other Reſpects, inadequate to the real Purpoſes of his Appointment; but his Father hath all the Abilities, Perſeverance, and Temper, requiſite for ſuch Ends, in a Degree perhaps exceeding any Man in Bengal. Theſe Talents heretofore made him obnoxious to Government itſelf, and therefore it might be thought unſafe to truſt him with an Authority ſo near the Nabob, whom he might inſpire with his own Ambition, and aſſiſt with the Means of carrying it to the moſt dangerous Extremes. It is poſſible that this might be the Caſe, were he immediately and formally intruſted with the Charge in Queſtion; and therefore it is propoſed to confer it upon his Son, who is of himſelf incapable of making a very bad Uſe of it, and to allow of his acting under the Influence and Inſtruction of his Father, who holding no Office under the Nabob, and being a Subject of our Government, may be removed without Eclat, or the leaſt Appearance of Violence, whenever he ſhall be proved, or even ſuſpected, to abuſe his Truſt, and apply it to Deſigns hurtful to the Intereſts of the Honourable Company.

" Warren Haſtings."

" Mr. Middleton delivers in the following Minute.

" For the Reaſons which have been ſo properly and powerfully urged by the Preſident, I entirely approve of the Choice he has made in the Perſon of Rajah Goordaſs, as a Man the moſt eligible to ſuperintend the Affairs of the Nabob's Houſhold, and at the ſame Time to complete the Reformation which the Company have thought neceſſary to be made in the Government of this Country. Young and inexperienced himſelf, without that Temper of Mind which denotes Ambition, no Apprehenſions need be entertained of his making an improper Uſe of the Authority with which he is inveſted; yet, directed by the Counſel of his Father, whoſe Abilities and Inveteracy to the late Naib Soobah are well known, he not only muſt be deemed capable of diſcharging all the Functions of his Office with Applauſe, but muſt appear particularly calculated to anſwer thoſe Ends the Honourable Company have in View, by the total Suppreſſion of that Influence which has hitherto been placed in the Perſon of Mahomed Reza Cawn; and this without any Danger that Schemes of Ambition will be formed by the Father himſelf, or if formed, without a Poſſibility of executing them, ſeeing that the Power from which his Conſequence is only reflected will be ſo circumſcribed, and wholly unable to ſcreen him, on the leaſt Breach of Confidence, from the juſt Reſentment of thoſe to whom he is indebted for the Degree of Conſideration he holds.

" Sam[l]. Middleton."

" Meſſieurs Dacres, Lawrell, and Graham, object to the Propoſition of appointing Rajah Goordaſs, Dewan to the Nabob, and will aſſign their Reaſons at a future Meeting. (*a*)

Read, alſo, the following Extract of the Proceedings of a Committee of Circuit, of the 26th July 1772, from Page 259 of the ſame Book.

" Coſſimbazar, the 26th July 1772.

" At a Committee; Preſent,

The Honourable Warren Haſtings Eſquire, Preſident;

Samuel Middleton,
P. Milner Dacres,
James Lawrell,
John Graham,
} Eſquires.

" [Minute of Meſſ[rs]. Dacres, Lawrell, and Graham.

☞ " Meſſ[rs]. Dacres, Lawrell, and Graham, lay before the Committee the following Minute, in Support of their Diſſent from the Preſident's Propoſition for appointing Rajah Goordaſs, Dewan to the Nabob.

(*a*) Vide Appendix, N° XCV, ſupra.

" The

" The Baſis on which we object to the Appointment of Rajah Goordaſs to the Office of "Dewan of the Houſhold, and Manager of the Nabob's Finances," is, becauſe we eſteem it in Effect the Appointment of Nundcomar, who, with reſpect to the various Accuſations againſt his political Conduct, and the Orders which have been in Conſequence received from the Honourable the Court of Directors, ſtands in ſuch a Predicament, as to preclude, in our Opinion, an Acquieſcence in the Preſident's Propoſition.] ☞ § (" We crave the Patience of the Committee to peruſe thoſe " Teſtimonies, faithfully collected from the public Records of our Government, on which we " ground this Opinion.

" Extract from the Company's General Letter to their Preſident and Council, dated 22d February 1764.

Extracts relative to Rajah Nundcomar.

" Par. 37. From the Whole of your Proceedings with reſpect to Nundcomar, there ſeems to be " no Doubt of his endeavouring by Forgery, and falſe Accuſations, to ruin Ram Churn; that " he has been guilty of carrying on Correſpondence with the Country Powers, hurtful to the Com- " pany's Intereſts, and inſtrumental in conveying Letters between the Shazada, and the French " Governor General of Pondicherry; in ſhort, it appears he is of that wicked and turbulent Diſ- " poſition, that no Harmony can ſubſiſt in Society where he has the Opportunity of interfering. " We therefore moſt readily concur with you, that Nundcomar is a Perſon improper to be truſted " with his Liberty in our Settlements, and capable of doing Miſchief, if he is permitted to go " out of the Province, either to the Northward or to the Deccan. We ſhall therefore depend upon * Sic in Orig. " your keeping ſuch a Watch over all his Actions as may be * Means of preventing his diſturb- " ing the Quiet of the Public, or injuring Individuals for the future.")

(Signed at the End) §

" Warren Haſtings,
P. M. Dacres,
James Lawrell,
J. Graham." (*a*)

Read, alſo, the following Extract of the Proceedings of a Committee of the 28th of July 1772, from Page 282 of the ſame Book.

" Coſſimbazar, the 28th July 1772.

" At a Committee; Preſent,

The Honourable Warren Haſtings, Eſquire, Preſident;
Samuel Middleton,
P. Milner Dacres,
James Lawrell,
John Graham, } Eſquires.

" The Preſident delivers in the following Minute.

The Preſident's Minute in ſupport of Rajah Goordaſs.

" The Preſident feels a Reluctance to dwell any longer on a Subject which has divided the Opinions of the Committee, and already engaged too much of their Attention; but he thinks it incumbent upon him to ſay ſomething in reply to the Objections which have been made to his Propoſition, becauſe he apprehends that a very different Concluſion may be fairly drawn from the Arguments which have been urged againſt it. His own Inclination will induce him to confine himſelf within the ſame Bounds of Candour and Moderation, which the Gentlemen who differ from him in Opinion have ſo properly choſen, and which ought to be invariably adhered to, where the End ſought by all is the Public Good, and the only Diſagreement is the Mode of attaining it.

" The Preſident has already declared, that he meant, by the Appointment of Rajah Goordaſs, that this Government ſhould avail itſelf of the Abilities of Rajah Nundcomar for the Purpoſes aſſigned; but it was his declared Intention to exclude him from any formal Truſt in the Nabob's Service, in order to guard againſt any Attempts which might be apprehended from his Intrigues; thus leaving the Government at Liberty to recall him whenever he ſhall be ſuſpected of applying the Opportunities afforded him to ill Purpoſes, without giving Umbrage to the Nabob, or leaving him a Pretence to ſcreen him from our Authority.

" The Preſident does not take upon him to vindicate the moral Character of Nundcomar; his Sentiments of this Man's former political Conduct are not unknown to the Court of Directors, who, he is perſuaded, will be more inclined to attribute his preſent Countenance of him to Motives of Zeal and Fidelity to the Service, in Repugnance perhaps to his own Inclinations, than to any Predilection in his Favour. He is very well acquainted with moſt of the Facts alluded to in the Minute of the Majority, having been a principal Inſtrument in detecting them; nevertheleſs he thinks it but Juſtice to make a Diſtinction between the Violation of a Truſt and an Offence committed againſt our Government, by a Man who owed it no Allegiance, nor was indebted to it for Protection, but, on the contrary, was the Miniſter and actual Servant of a Maſter, whoſe Intereſt naturally ſuggeſted that Kind of Policy, which ſought by foreign Aids, and the Diminution of the Power of the Company, to raiſe his own Conſequence, and to re-eſtabliſh his Authority. He

(*a*) Vide Appendix, N° CXIII.

has

has never been charged with any Inſtance of Infidelity to the Nabob Meer Jaffier, the conſtant Tenor of whoſe Politics, from his firſt Acceſſion to the Nizamut 'till his Death, correſponded in all Points ſo exactly with the Artifices which were detected in his Miniſter, that they may be as fairly aſcribed to the one as to the other; their immediate Object was, beyond Queſtion, the Aggrandizement of the former, though the latter had ultimately an equal Intereſt in their Succeſs. The Opinion which the Nabob himſelf entertained of the Services and of the Fidelity of Nundcomar, evidently appeared in the diſtinguiſhed Marks which he continued to ſhew him of his Favour and Confidence to the lateſt Hour of his Life.

" His Conduct in the ſucceeding Adminiſtration appears not only to have been dictated by the ſame Principles, but, if we may be allowed to ſpeak favourably of any Meaſures which oppoſed the Views of our own Government, and aimed at the Support of an adverſe Intereſt, ſurely it was not only not culpable, but even praiſe-worthy. He endeavoured, as appears by the Abſtracts before us, to give Conſequence to his Maſter, and to pave the Way to his Independence, by obtaining a Firmaun from the King for his Appointment to the Subaſhip; and he oppoſed the Promotion of Mahomed Reza Cawn, becauſe he looked upon it as a Superceſſion of the Rights and Authority of the Nabob. He is now an abſolute Dependant and Subject of the Company, on whoſe Favour he muſt reſt all his Hopes of future Advancement.

" But whatever may have been the Conduct of Rajah Nundcomar in a different Station, and on former Occaſions, the Preſident cannot form an Idea of any Danger, to which the Company's Intereſts can be expoſed, by his Influence with his Son in the Office which is now propoſed for the latter. No Situation of our Affairs could enable the Nabob, or any Perſon connected with him, to avail himſelf, by any immediate or ſudden Act, of the ſlender Means which he has left to infringe our Power or enlarge his own; he has neither a military Force, Authority in the Country, foreign Connections, nor a Treaſury. A Deſign of ſuch a Nature (if ever practicable) can only take Effect by a long Train of concerted Events, and muſt be the uninterrupted Work of Years; but as it has been repeatedly remarked, the Father having no Truſt or Authority, nor the Son Abilities equal to ſo great an Enterprize, the ſlighteſt Suſpicion will be ſufficient to remove the former, and fruſtrate every Hope of the Kind for ever.

" With reſpect to any other Perſon who may be nominated for this Charge, the Preſident declares, that he has fixed his Choice upon Rajah Goordaſs, from the thorough Conviction that no other will be found equally qualified to anſwer the particular Purpoſes of that Appointment.

" To conclude.—At a different Seaſon, and under other Circumſtances, the Preſident would acquieſce in the Arguments which have been urged againſt his Recommendation. He ſhould be very ſorry to ſee Nundcomar become the Miniſter of a rival Power, becauſe of his Abilities; he thinks they may be moſt uſefully employed in the Service of our own Government.

Warren Haſtings."

To ſhew that Mr. Haſtings, for the firſt Time, began to attack the Character of Nundcomar, when he firſt apprehended that Nundcomar would make a Charge againſt him,

The Witneſs produced a Duplicate of a Letter from the Preſident to the Secret Committee of the Honourable the Court of Directors for the Affairs of the Honourable United Eaſt India Company.

Read the ſame, as follows.

" Fort William, the 24th March, 1774.

" Gentlemen,

" Although the Proceedings of the Board contain, very minutely recorded, all the Meaſures which were taken for proſecuting the Enquiry into the Conduct of Mahmud Rizza Cawn, and my own Sentiments, both in the Courſe and Iſſue of it, are therein inſerted at large; yet, as I was originally honoured with your eſpecial Commands for conducting this intricate Buſineſs, I conceive it to be in ſome Meaſure incumbent upon me to addreſs you on its Concluſion, that I may account for any apparent Deficiency, by ſtating the Difficulties which I have had to encounter in the Diſcharge of it. I will ſpeak firſt of that Charge which was more particularly the Object of your Attention and of our Enquiry, I mean the Monopoly of Grain.

" You will be pleaſed to recollect that the Charge was general, without any Specification of Time, Places, or Perſons. I had neither Witneſſes, nor Vouchers, nor Materials of any Sort to begin with; for theſe I relied chiefly on the Abilities, Obſervation, and active Malignity of Mah Rajah Nundcomar; but not reſting wholely on his Aid, I took ſuch other Precautions as were moſt likely to produce Informations againſt Mahmud Rizza Cawn, if his Conduct had really merited that Return from the People of this Country. In Concurrence with the Committee of Circuit at Coſſimbuzar, and with the Council here, I publiſhed Advertiſements, inviting all Perſons to give Information againſt ſuch as had contributed to the Diſtreſſes of the Country, in the Time of the Famine, by the Monopoly of Grain, or any other unfair Practice on the Wants and Neceſſities of the People. I allowed all who had any Thing to offer on theſe Subjects to have Acceſs to me; and although I never had much Time to ſpare, I patiently beſtowed many Hours,

and even Days of it, in liſtening to the multiplied but indefinite Suggeſtions of Nundcomar: in a Word, I omitted no Means, which were conſiſtent with my Character, to bring the Truth of this Accuſation to Light.

" In the Courſe of the Enquiry I proceeded with the moſt rigid Impartiality, not ſuffering, I can ſafely ſay, the ſmalleſt Biaſs to incline me. You will ſee with what Materials I was furniſhed; I am ſorry to ſay, that ſome were collected with ſo little Decency and Regard to Truth, as to make me apprehenſive of the Effects which they might have produced on my Character, from the Countenance which I afforded to the principal Agent in the Proſecution, had I not in my own immediate Conduct invariably adhered to the ſtricteſt Rule of Juſtice. My Judgement was formed with the ſame Temper of Mind; and I continue in the Perſuaſion, that it will be found perfectly conſiſtent with the Evidence before me, which coſt me much Labour and Attention, in the Midſt of continued Interruption, to collect from the Records of near Thirty different Examinations.

" I informed Rajah Huzzoorymul with the Reference which you had been pleaſed to direct me to make to him for the Facts on which his Information, a Copy of which I received in your Commands by the Lapwing, was grounded. He came ſeveral Times to me, with the expreſs Purpoſe and Promiſe of entering into a full Communication of the Subject, and brought with him an old and reſpectable Merchant of this City, ſince deceaſed, who he ſaid was equally apprized of theſe Circumſtances with himſelf, to aid him in his Informations; but after much timid Heſitation, mutual Reference, and Procraſtination, they both at length declined it, nor could I ever obtain the ſmalleſt Intelligence from either. I ſhould be ſorry if this Report were to give you an unfavourable Opinion of Rajah Huzzoorymul; I can truly affirm I know not a Man of a more guarded Conduct, or a more conſcientious Integrity. Either the Fear of the Conſequences affecting his Character reſtrained him from avowing what he knew, or, which I think more likely, he was miſled by the Clamours of the People in the Information which he originally gave to Mr. Gregory.

" With reſpect to the Accounts of the Nizamut, and the Balance ſaid to be due from Mahmud Rizza Cawn for the Collections made by him at Dacca, during the Lifetime of Jaffier Ally Cawn, it was certainly more in the Power of Nundcomar than of any other Perſon to furniſh me with the fulleſt and moſt authentick State of both. Beſides an official and practical Knowledge which he had of the Nature of the former, of which at one Time he had the entire Management, he had at this Time the Command of all the Accounts of the Nizamut through the Means of his Son Raja Goordaſs, who is the Dewan of that Office.

" He poſſeſſed the entire Confidence of the Nabob Meer Jaffier at the Time in which Mahmud Rizza Cawn was employed as Agent for the Dacca Collections, and had actually entered into a Scrutiny of his Conduct during the Life of that Nabob, which Scrutiny produced the Balance now appearing againſt him.

" All the Accounts on theſe Heads which I have ever received from Maha Raja Nundcomar ſtand upon Record, and they are ſuch as appear more calculated to acquit Mahmud Rizza Cawn than eſtabliſh any Proofs againſt him. Indeed he has lately offered to furniſh me with very minute Accounts of the Dacca Collections during the Period of Mahmud Rizza Cawn's Agency; but theſe were not put into my Hands until the Enquiry was cloſed, although he had taken other indirect Means, I know not why, to bring them to the Notice of the Board; and as to the Nizamut Accounts, although I have uſed every Means, for upwards of Ten Months paſt, both with him and his Son, which could operate either on their Hopes or Fears, to obtain them, they were not delivered till the latter End of January laſt, accompanied with the Promiſe of a ſeparate Proof of Embezzlement in the Article of Exchange, which, after freſh Importunity both from myſelf and from the Board, was tranſmitted ſo late, that they arrived only on the 10th of January; nor did theſe, more than any other Paper furniſhed by Nundcomar, afford any Thing like Proofs, but only reiterated Charge, without One Voucher, or the leaſt Aid that might direct us to one.

" I am at a loſs to diſcover the ſecret Spring which governs the myſterious Conduct of this Man, as I am certain he is impelled by nothing leſs than a Deſire to favour Mahmud Rizza Cawn. It might ſuit well with his private Views to procraſtinate the Iſſue of the Enquiry, although it would be little conſiſtent with the Credit or Juſtice of your Adminiſtration to prolong it to a further Period, Two Years having been already conſumed in bringing it to a Cloſe on our Proceedings. Many Attempts indeed were made by Nundcomar, both in the Courſe of this Affair, and in the Examination of Mah Rajah Shitabroy, to obtain a formal Commiſſion for making a perſonal and local Inquiſition into the Accounts of the Collections depending on both. This I diſapproved; knowing that ſuch a Power might be converted, and believing that in his Hands it would be converted, to Purpoſes very detrimental to the Revenue, and oppreſſive to the People: It was propoſed to the Board, and by them peremptorily refuſed.

" Notwithſtanding the Conſciouſneſs which I poſſeſs of my own Integrity, and the Certainty that my Conduct throughout this ungrateful Buſineſs will, on the moſt rigid Scrutiny, do me Credit, yet I am not without my Fears. I am aware of the violent Prejudices which were taken up at once againſt Mahmud Rizza Cawn by all Ranks of People both here and at Home; I am alſo aware, that in England, where the very Name of Enquiry into the paſt Management of Affairs in India flatters the Paſſion of the Times, and raiſes Expectations of great and important Detections, the Reſult may balk thoſe Expectations, and turn the Torrent of public Clamour another Way.

Way. In many of the private Letters which I received from my Friends in England, I was warned to act with the greateſt Caution in this Enquiry, as the Confirmation of my Credit with the Public, and, forgive me for adding, with your Honourable Court, depended upon it.

" The Magnitude of the Charges alledged againſt Mahmud Rizza Cawn, his reputed Wealth, the Means which that afforded him both of ſuppreſſing Evidence, and even of influencing his Judges in his Favour, and the natural Concluſion deducible from ſo many exaggerated Accuſations, that ſome Part of them at leaſt was true, gave additional Force to theſe cautionary Intimations, and made me fear for the Conſequences; not only as they might affect my Reputation, which it has been the Study of my Life to maintain unblemiſhed, but as they might blaſt all my Hopes from the Continuation of your Favour, which I hold ſolely on the Credit of my Integrity.

" It is poſſible that, on a Review of the Proceedings, you may find ſome critical Circumſtances diſregarded, ſome Facts of Conſequence not ſufficiently traced through all their Connexions or dependent Events, by which the Truth might have been more ſucceſsfully followed. I can only ſay, that I have never quitted this Proſecution but for Affairs of greater Moment; and although I ever bear the moſt reſpectful Deference for your Commands, and have never ſuffered my Zeal to ſlacken in their Execution, yet I muſt candidly own, that I never gave up a Portion of my Time to this Buſineſs, without feeling a painful Regret that ſo much of it was loſt to the Care of your real Intereſts; and how much I have beſtowed of it on that, your Records, in the various Departments over which I preſide, will abundantly teſtify.

" I muſt declare that I have another Motive for my Fears; the dark and deceitful Character of Nundcomar, whoſe Gratitude no Kindneſs can bind, nor even his own Intereſt diſengage him from the crooked Politicks which have been the Study and Practice of his whole Life. Of this I have had many very extraordinary Proofs; I ſhall inſtance only Two, as moſt expreſſive of his ruling Character.

" Before my Departure from Fort St. George, when my Appointment to this Preſidency was known, a Meſſenger, expreſsly deputed from Munny Begum, came to me there with Letters, entreating my Protection, in the moſt earneſt Terms, both for her Houſe and for the People of Bengal, againſt the Tyranny of Mahmud Rizza Cawn, and referring me for further Information to Mah Raja Nundcomar, from whom I received ſimilar Addreſſes on the ſame Subject. The Begum has ſince ſolemnly diſowned her having ever written ſuch Letters, or authoriſed ſuch a Commiſſion.

" A very ſhort Time after the Elevation of his Son to the high Office which he now poſſeſſes as Dewan to the Nabob, Nundcomar ſent Draughts of Letters to the Begum, which he recommended to her to write to me, enumerating the many Encroachments which had been made by the Engliſh Government on the Rights of the Nizamut, and reclaiming them for the Behalf of the Nabob. Copies of theſe Draughts, communicated to me by the Reſident, Mr. Middleton, and by other Channels, are actually in my Poſſeſſion.

" I truſt to his own Genius to furniſh you with nearer Proofs in the Repreſentations which he has already made, or which he may at this Time convey to your Knowledge.

" My Experience of his Character has never altered my Behaviour to him, but in ſuch Inſtances only, and ſuch have occurred, as required it for the publick Tranquillity. I have ſupported the Authority of Rajah Goordaſs, even in Oppoſition to the Begum, becauſe it was conſiſtent with the Credit and Sanity of your Adminiſtration, that the Syſtem which it had been thought proper, on well-conſidered Grounds, to appoint, ſhould be ſteadily ſupported.

" I have alſo, in many little Inſtances, by my Countenance, aſſiſted the perſonal Influence of Maha Raja Nundcomar, and I have endeavoured to turn both his good and bad Qualities to Account for the Advantage of the Honourable Company, in ſuch Occaſions as could admit of the Application of either; but I muſt ſay, that I have been diſappointed in all my paſt Expectations from him, and do not promiſe myſelf much Benefit from his Abilities in Time to come, as the Scene on which he had the faireſt Opportunity of diſplaying them is now cloſed.

" Whatever your Reſolution may be concerning the future Fate of Mahmud Rizza Cawn, it is my Duty, although I believe it unneceſſary, to repreſent, that whatever Reparation you may think due for his paſt Sufferings, the Reſtoration of any Part of the Power which he before poſſeſſed will inevitably tend to the Injury of the Company's Affairs, and the Diminution of your Influence and Authority.

" There can be but One Government and one Power in this Province. Even the Pretenſions of the Nabob may prove a Source of great Embarraſſment, when he is of Age to claim his Releaſe from the preſent State of Pupilage, which prevents his aſſerting them.

" I have the Honour to be,
Gentlemen,
Your moſt obedient and
moſt faithful Servant,
Warren Haſtings."

The Managers for the Commons ſtated, that they would next produce a Charge made by the Rajah Nundcomar againſt the Defendant, of his receiving Three Lacks and an Half for the Appointment of Munny Begum to be Guardian to the Nabob.

Read,

Read, from Book 9, already delivered in, the following Extract of a Conſultation of the 11th March 1775, beginning at Page 1331 of the ſame Book.

" Fort William, the 11th March 1775.

Secret Dep. Saturday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Philip Francis Eſquire.
Mr. Barwell indiſpoſed.

§ (" Read and approved the Conſultation of the 8th inſtant.

Mr. Francis brings a Letter from Nundcomar accuſing the Governor.

" Mr. Francis begs Leave to inform the Board, that he this Morning received a Viſit from " Rajah Nundcomar, in which the Rajah delivered to him a Letter addreſſed to the Governor " and Council, and demanded of him, as a Duty belonging to his Office, as a Councillor of this " State, to lay it before the Board.—Mr. Francis conceiving that he could not, conſiſtently " with his Duty, refuſe ſuch a Letter at the Inſtance of a Perſon of the Raja's Rank, did accord- " ingly receive it, and now lays it before the Board, declaring, at the ſame Time, that he is un- " acquainted with the Contents of it.—Mr. Francis further begs Leave to obſerve, that he " received this Letter publickly in the Preſence of a conſiderable Number of Perſons, and that " the Rajah's verbal Requeſt was interpreted to him by Three different Perſons.

" (Signed) P. Francis.

" Opened and read the Letter from Mah Rajah Nundcomar delivered in by Mr. Francis, which " is as follows:

" To the Honourable Warren Haſtings Eſquire, Preſident and Governor, &c.
" Superior Council of Fort William.

" Honourable Sir, and Sirs,

" At the Time that Meer Mahomed Cauſim Khawn, having maſſacred and made Priſoners " many of the Engliſh, had acquired a Superiority, and the Nabob Meer Mahomed Jaffier Khawn, " thinking himſelf unprepared, refuſed to enter into a War with Meer Cauſim, in Compliance " with the Engliſh Gentlemen's Deſire, I endeavoured by every Method to perſuade Nabob Jaffier " Khawn to this Step: I engaged myſelf to provide the Supplies of Money, to levy the Troops, " to aſſemble the Zemindars; and, in ſhort, to perform every requiſite Part. Having by this " at length prevailed upon the Nabob to join the Engliſh, and engage in the War, Meer Ma- " homed was driven out of the Province, and an Advantage gained over Sujah Dowlah, who had " eſpouſed his Cauſe. At this Juncture, I obtained from his Majeſty the King Shaw Allum the " Subahs (of Bengal, &c.) for the Nabob Jaffier Ally Khawn: During the Nabob's Lifetime, I " faithfully tranſmitted to the King the Amount agreed upon for his Royal Revenues: I honeſtly " paid the Company, the Engliſh Army, and the Marrattas, the Sums ſeverally ſtipulated to " them, and the Nabob the Sums requiſite for the Support of his own Troops, and the Dig- " nity and Expences of the Nizamut; and I provided the Supplies of Grain which, at that Time, " was attended with great Difficulty. After Jaffier Ally's Death, and the Succeſſion of Nabob " Nudjum ul Dowlah to the Nizamut, a Party of the Engliſh Gentlemen deprived me of the Office " I poſſeſſed, in the Buſineſs of which I was well verſed, and, for Views of private Advantage, " raiſed Mahomed Reza Khawn to the Poſt. For the Space of Seven Years Mahomed Reza " managed the Affairs of the Subah of Bengal; what the Meaſures were which he purſued in the " Adminiſtration of the Country, the Balances which he fraudulently wrote off, his Violence " and Oppreſſions upon his own Maſter and upon the Ryatts, and his Trade in Grain, by all " which his Maſter's Houſe and the whole Country were deſolated, are well known to all. When- " ever a juſt Enquiry ſhall be made, ſuch will be found to have been his Conduct. I have now " been Ten Years out of Employment. Mahomed Reza Khawn ardently wiſhed during the whole " Time of his Miniſtry to diſcover ſome Fault of mine in the ſettling the Buſineſs of the Coun- " try, or ſome Fraud or Delay in the Method of tranſacting it. As nothing of the Kind had " been committed by me, he was able to produce nothing. Whoever occupies a great Poſt, " as well as faithful Adherent, undoubtedly meets with diſcontented and turbulent Men. The " utmoſt Search which Mahomed Reza Khawn could make, could not produce a ſingle Man who " would lay his Complaint againſt me. When Mr. Haſtings arrived from Madras and entered " upon the Government, he promiſed me his Friendſhip, and engaged me to aſſiſt him in regulating " and adjuſting the Buſineſs of the Country. The Part I acted upon this Occaſion will hereafter " appear in the Courſe of this Narrative. When General Clavering and Colonel Monſon and " Mr. Francis arrived from England, appointed Councillors for the Government of this Country, " the Preſident Mr. Haſtings introduced many of the Natives who had Employments in the " Country to thoſe Gentlemen, and likewiſe gave Permiſſion to many others to pay their Reſpects " to them. At the Expiration of a Week after their Arrival, I begged of the Governor that " he would introduce me: The Governor anſwered, that he was well aſſured that I had a Friend " who was his Enemy that acted as Meſſenger from me to thoſe Gentlemen: " You have con-

" tracted,

" tracted, ſaid he, a Friendſhip with my Enemy, procure an Interview by his Means;" and he " concluded with this Menace, " I ſhall purſue what is for my own Advantage, but in that your " Hurt is included; look to it." I replied with begging that he would not give Credit to the " Slanders of Mr. Graham againſt me, who was my Enemy. The Affair remained for ſome Time " in this State; afterwards the Governor ſent Mr. Elliott with me to introduce me to General " Clavering, Colonel Monſon, and Mr. Francis. I continued after this to pay my Reſpects from " Time to Time as uſual to the Governor, and ſometimes to the other Three Gentlemen. On " Tueſday the 29th of Pooſs I waited upon the Governor, and found Mr. Graham and the " Governor in Converſation together. When Mr. Graham had taken his Leave, the Governor " called me to him and ſaid, " I am certain that you are acting the Part of an Enemy towards " me, I ſhall hereafter be your Enemy here, and ſhall not ceaſe to be ſuch even in Europe; you " muſt not come near me from this Day; go and do me the utmoſt Evil in your Power." I " begged of him coolly and impartially to conſider the Juſtice of this Declaration, and told him " that till he had, I ſhould take Care not to viſit him. I left him upon this, conceiving that " what he had ſaid proceeded from a Guſt of Paſſion, and that he would not ſeriouſly determine " upon effecting my Ruin. Since this, Juggut Chund, whom I have educated from a Child and " patronized, who even now enjoys the Office of Naib to my Son Rajah Goordaſs, with the moſt " abandoned Undutifulneſs has been ſeeking to injure myſelf and Rajah Goordaſs. He is now " come to Calcutta without Order of Council, and contrary to Rajah Goordaſs's Deſire, and he " has never yet even been to viſit me. This Perſon is admitted to hold Council with the Govern- " or. And Mohunperſhaud, whoſe Villainy and lying Intrigues are known to both the Engliſh " Gentlemen and the Natives throughout this City, who is my inveterate Enemy, and whom the " Governor formerly turned out of his Houſe, and forbid him to appear there again, is now re- " called into his Preſence, is preſented with Pāān by him, and aſſured of his Protection. Mohun- " perſaud is admitted by the Governor to private Conferences both in Town and at his Gardens, " and likewiſe frequently comes to Juggut Chund's Houſe, and holds Conſultations with him. " What Title from Rank or Fidelity have theſe to ſuch intimate Connection with the Governor? " What other Title have they than their Enmity and Malevolence to me? I have no Power in " this Country: Mr. Haſtings is the Superior of all. The Goodneſs of God is the only Defence I " have againſt the declared Hatred of ſuch an Enemy. I eſteem my Honour dearer than my " Life, and I am not inſenſible of the Injury my Character may ſuffer from the Diſcoveries I am " about to make; but greater Diſgrace attends my Silence, and I am left without a Choice. I " ſhall therefore requeſt your Attention to the following Account of ſome few Parts of the " Governor Mr. Haſtings's Conduct in the Courſe of his Government.")

" [When Mr. Haſtings arrived in Bengal from Madras, and entered upon the Adminiſtration of Affairs, he told me, that he was well aſſured of the Embezzlements and Malpractices of Mahomed Rheza Khawn and Rajah Shitabroy, and deſired that I would aſſiſt him in the Intention he had of removing them from their Employments, and prepare a Statement of their reſpective Accounts. He further added, that he would cauſe me to be appointed by Council, Aumin over the whole Country; and that Mahomed Reza and Shitabroy ſhould appear before me, and render to me the Accounts of their Provinces. " I will delegate to you," ſaid he, " my whole Power and Influence." Depending upon this Declaration, I readily lent the Aſſiſtance in my Power; and Mr. Haſtings, having ſummoned Mahomed Reza and Rajah Shitabroy to Calcutta, directed me to draw out an Account of their Embezzlements, which I accordingly did, and gave to him.

" Excluſive of Embezzlements from the Jewels, and on Account of Elephants, Horſes, Sheep, and from the private Treaſury, the Accounts of the Embezzlements of Mahomed Reza Khawn in the Nizamut, from the Commencement of the Bengal Year 1172 to the Concluſion of the Bengal Year 1178; and in the Province of Dacca, from the Bengal Year 1170 to 1177, are both together ſtated at 2,02,28,958 Rupees, and upwards. Beſides this, the Sum of 13,00,000, Balance of Accounts due, by his Agreement with the Company, for Diſtricts under his Direction within the Years 1172 and 1178, he has fraudulently written off as outſtanding, and has himſelf embezzled. The Sum total of this Account, delivered by me to Mr. Haſtings, amounted to 3,05,26,957 and upwards. I likewiſe brought to him Perſons who were preferring their Complaints againſt Mahomed Reza Khawn, on Account of Injuries committed by him in the Purchaſe and Sale of Grain. Mahomed Reza, upon this, ſent a Meſſenger to me, propoſing a Preſent of Ten Lacks of Rupees to Mr. Haſtings, and Two Lacks to me; and that theſe Enquiries ſhould be ſtopt. I acquainted Mr. Haſtings with this Propoſal. He made anſwer, That he could not ſuſpend an Enquiry for the Amount of Crores of Rupees, for ſuch a Sum; and that it was proper the Government's Money ſhould be recovered; and added, that he ſhould not releaſe him from Confinement till the Points in Queſtion were decided upon. He ſaid no more to me; but after a few Days he took the Guards off Mahomed Reza Khawn, ſet him at Liberty, entirely dropt the Enquiry into his Embezzlements and Malpractices, and did not do Juſtice to the Complainants againſt Mahomed Reza, who had proved in Council their Charge on the Affairs of the Sale and Purchaſe of Grain, to whom he adjudged no Damages. Why this extraordinary Favour was ſo ſuddenly ſhewn, the Governor can beſt aſſign the Reaſons.

" Reza ul Dien Mahomed Khawn, and Mahomed Alley Khawn, on Account of the Offices of Fogedars of Hoogley and Silut, and Amul of Nudia, were accountable to the Company for

Lacks of Rupees; yet upon their Deceaſe Mahomed Reza ſeized the Whole of their Eſtates, and delivered no Part to the Company. In the Bengal Year 1181 Mahomed Reza threw Amarut Sing, his own Mutſuddie, into cloſe Confinement at Calcutta, and extorted large Sums from him. Gopaul Sing was the Ameel of his Jagheer, and received from him annually a general Releaſe under his own Seal, and which he has now in his Poſſeſſion: Notwithſtanding this, Mahomed Reza has thrown him into Priſon, and demands Money from him to a great Amount: He ſuffers great Severities from Mahomed Reza in his Confinement, but nobody liſtens to his Complaints. The Governor, Mr. Haſtings, formerly ſaid to me, that as the Jagheer of Mahomed Reza was merely annexed to the Poſt of Naib of the Nizamut, it ſhould be taken from him: This is now the Third Year ſince he has been deprived of that Poſt; but the Jagheer, which is a very large Income, has not been remanded. Why the Company ſhould be deprived of ſo conſiderable a Sum, as the Amount of this is, from the Time of Mahomed Reza's Diſmiſſion from the Niabut, it remains with the Governor to explain.

" I delivered to Mr. Haſtings an Account of the Embezzlements of Shitabroy from the Commencement of the Year 1173, to the Concluſion of the Year 1181 of the Fuſſil Æra, ſtated at the Sum of more than 90 Lacks of Rupees. When the News of this reached Maha Rajah Durudge Narain, at Moorſhedabad, he ſent a Vackeel with Letters to the Governor and Mr. Reed, and myſelf, containing his Propoſals, that from the 90 Lacks demanded from Shitabroy, a Deduction ſhould be made of 30 Lacks for Deaths and irrecoverable Balances; and he would himſelf diſcharge the remaining 60, on Condition that he ſhould be put into Shitabroy's Poſt; and that, in future having rendered the Country more flouriſhing, he would give to Government a ſtill greater Revenue. When Rajah Shitabroy heard of this Propoſal, he told me and likewiſe ſent me Word that he was ready to give Four Lacks to the Governor Mr. Haſtings, and One to me, and Fifty thouſand Rupees to Mr. Reed, if the preſent Demand for his Accounts were put a Stop to. I acquainted the Governor with what Shitabroy ſaid: He anſwered that it was proper the Money of the State ſhould be recovered without any Views of this Kind. In Concluſion, Mr. Haſtings, without recovering the Company's Money, and without informing me of his Intention, reinſtated Rajah Shitabroy, and returned him to Moorſhedabad with high Honours. The Motives of theſe Proceedings, and why Maha Rajah Durudge Narain's Propoſals, apparently ſo much for the Company's Advantage, were rejected, will beſt be underſtood from Mr. Haſtings himſelf.

" The Sum of 25,000 Rupees is the ſtated annual Salary of the Mutſuddee of the Khalſa Sheriff, to be paid in ready Money, and by Jagheer. Why Raja Raje Bullub enjoys a Salary of 5,000 Rupees per Month, excluſive of Diſtrict of Dewan Gunge, the Produce of which is very conſiderable, and how the Company's Intereſt was in this conſulted, remains with Mr. Haſtings to explain.

" At the Time Mr. Haſtings was going to Benares, he deſired me to give him an Account in Writing of any Lands which, though properly belonging to the Subah of Bahar, might have come under the Dominion of Bulwand Sing, that they might be recovered from his Son Rajah Cheyte Sing. The Pergunnahs of Kera, Mungrour, and Birjay Ghur, were exactly in this Situation, having been uſurped by Bulwant Sing from the Subah of Bahar. I accordingly delivered to Mr. Haſtings the Accounts of them from the Entrance of the Company upon the Dewanny to the Year 1179 of the Fuſſel Æra, ſtated at 24 Lacks. Mr. Haſtings ſaid, " Give a Copy of this to " Roy Radha Churn, that if Cheyte Sing is backward in acknowledging this Claim, Radha Churn " may anſwer and confute him." Why Mr. Haſtings, when he arrived at Benares, and had called Rajah Cheyte Sing before him, left theſe Countries ſtill in the Rajah's Uſurpations, it remains with Mr. Haſtings to explain.

" The Governor, Mr. Haſtings, has given the Purgunnah Bahurbunda, and others, in the Zemindary of the Ranee Bowanney, to Cantoo, his own Banyan. The Ranee has committed no Fault, and Cantoo has no Right by Inheritance, or any other Title, to theſe Purgannahs. The Reaſons of this Gift it remains with the Governor to explain.

" His Majeſty, Shaw Allum, was graciouſly pleaſed to intend me an honorary Preſent of a Jahalder Palankeen, accompanied with other Enſigns of State, according to the Cuſtom of this Country. When this Preſent reached Raja Shitabroy at Patna, in its Way to me, Nabob Meer Mahomed Jaffier Ally Khawn was dead, and being out of all Employ, I had retired to Calcutta. Raja Shitabroy, from the Fear of offending Mahomed Reza Khawn, detained the royal Preſent at Patna. Mr. Haſtings gave Directions to Shitabroy's Vackeels Khojah Aſſun and Mujelio Roy, requiring that it ſhould be ſent down, which it accordingly was, to Mr. Haſtings, with whom it has remained ever ſince. I humbly requeſt that the Governor's Reaſons may be required, and if the royal Preſent ſhall be found to be my Right, it may be delivered to me.

" Thus far I have written in general Terms. I ſhall now beg leave to offer a more particular and circumſtantial Statement of Facts.

B. Y. 1179. Aſſen 12th.

" An Account of Preſents received by the Governor, Mr. Haſtings, on Account of Tranſactions of a public Nature.

" Given by me to Mr. Haſtings, at Calcutta, for procuring Rajah Goordaſs's Appointment to the Niabut, and cauſing Munny Begum to be made the Superior of the Family; by Means of

Jagganaut

Jagganaut and Baulkiſhen, Canſumahs of the Governor, Mr. Haſtings, together with Chytun Naut, Nurr Sing, and Sedaunund, Three Bags of Gold Mohurs, (viz.)

1 Bag, containing Gold Mohurs — — — —	1471		
1 Ditto Ditto — — — — —	1471		
1 Ditto Ditto — — — — —	900		
And Adailies 1140 = Gold Mohurs — — —	570		
Gold Mohurs — — at 17 A. R^{s} per Mohur	4412	—	75,004

" Given by Ditto and Ditto, at Calcutta, by Means of Jagganaut and Baulkiſhen, Canſumahs of Mr. Haſtings, together with Sedamund and Nurr Sing aforeſaid, One Bag, (viz.) B. Y. 1179½ Aſſen 15.

1 Bag, containing Gold Mohurs — — — —	1291		
And Adailies 359 = Ditto — — — —	179		
Gold Mohurs — — at 17 A. R^{s} per Mohur	1470	—	24,998 : 8

" Sent to Ditto, for Batta on the aforementioned Sums, which having been paid as Arcot, Mr. Haſtings required they ſhould be made up Sunautts, by Means of Jagganaut and Baulkiſhen aforeſaid, together with Nurr Sing, aforeſaid, (viz.) Ditto 26.

1 Bag, containing Gold Mohurs — — — —	182½		
at 17 A. R^{s} per Mohur		—	3,102 : 8

" Sent to Mr. Haſtings, at Calcutta, by Means of Jagganaut and Baulkiſhen, aforeſaid, together with Sheevaram, Ditto 29.

1 Bag, containing A. R^{s} — — — — —	——	—	1,000 : —

" Given to Mr. Haſtings, at Moorſhedabad, by Mony Begum, upon the Occaſion of conſtituting her the Superior of the Family, and taking away the Superiority from Bubboo Begum, Mother of the Nabob Mebawruc ul Dowlah, who before enjoyed that Rank, Bhadun 4.

Rupees Sonaut — — — — — —	100,000

" The Governor, Mr. Haſtings, in the Month Aſſar 1179, went from Calcutta to Moorſhedabad; he remained about Three Months at Coſſimbuzar, and ſometimes went into the Nabob's Palace. After Mr. Haſtings returned from Moorſhedabad to Calcutta to Calcutta,* Mony Begum ſaid to Raja Goordaſs, " Write Word to Marajah Nundcomar, that it is proper and requiſite to give One Lack and 50,000 Rupees to the Governor; and beg of Mahrajah to aſk the Governor, whether it ſhall be ſent in ready Money, or by a Bill of Exchange." I accordingly aſked Mr. Haſtings; who anſwered, " I have Connections of Trade in that Part of the Country; let this Money be paid to Nurr Sing, Cantoo's Brother, who is at Coſſimbuzar." In conſequence of which, I wrote to Rajah Goordaſs, and Mony Begum, that they ſhould deliver the Money to Nurr Sing, Cantoo's Brother. Mony Begum, with Rajah Goordaſs's Knowledge, in the Month of Aughun 1179, paid this Money to the Governor, Mr. Haſtings, by the Means of Nurr Sing, aforeſaid, from under the Care of Chytun Ahurr, Caſh-keeper to the Behailah, * Sic in Orig.

Sonat Rupees — — — — — —	150,000	
		2,50,000
Rupees		3,54,105

" Calcutta,
the 8th March 1775.

" I am,
Honourable Sirs,
Your moſt obedient, and moſt
devoted humble Servant,
The Signature of Rajah Nundcomar نندكمار"

" Ordered, That the Perſian Original, which was incloſed in the above, be tranſlated.

" The Governor General obſerves, as Mr. Francis has been pleaſed to inform the Board that he was unacquainted with the Contents of the Letter ſent in to the Board by Nundcomar, that he thinks himſelf juſtified in carrying his Curioſity further than he ſhould have permitted himſelf without ſuch a previous Intimation; and therefore begs Leave to aſk Mr. Francis, whether he was, before this, acquainted with Nundcomar's Intention of bringing ſuch Charges againſt him before the Board.

" Mr. Francis.—As a Member of this Council, I do not deem myſelf obliged to anſwer any Queſtion of meer Curioſity. I am willing, however, to inform the Governor General, that though I was totally unacquainted with the Contents of the Paper I have now delivered in to the Board,

Board, 'till I heard it read, I did apprehend in general that it contained ſome Charge againſt him. It was this Apprehenſion that made me ſo particularly cautious in the Manner of receiving the Raja's Letter. I was not acquainted with Raja Nundcomar's Intention of bringing in ſuch Charges as are mentioned in the Letter.

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
P. Francis."]

Read, alſo, the following Extract of a Conſultation of the 13th of March 1775, beginning at Page 1454 of the ſame Book.

" Fort William, the 13th of March 1775.

Secret Dept. Monday.

At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, Philip Francis, } Eſquires.

" The Secretary informs the Board, that he has received the following Note from Mahrajah Nundcomar, with a Letter addreſſed to them.

" Sir,

" I beg the Favour of you to deliver the accompanying Letter directed to the Governor and ſuperior Council, and open it in their Preſence.

" I am, &c.

" Calcutta, 13th March 1775. Signed (Nundcomar.)"

" Opened the Letter ſent in with the above, which is read, and found to be as follows:

" Honourable Sir, and Sirs,

" I had the Honour to lay before, in a Letter of the 11th inſtant, an abſtracted, but true Account of the Conduct of the Honourable Governor in the Courſe of his Adminiſtration. What is there written I mean not in leaſt to alter; far from it: I have the ſtrongeſt written Vouchers to produce in ſupport of what I have advanced, and I wiſh and intreat, for my Honour's Sake, that you will ſuffer me to appear before you to eſtabliſh the Fact by an additional inconteſtible Evidence.

" I have never had any other Object in View but the Proſperity of the Company, and when I informed the former Governors, at the Time of their enjoying that Dignity, of the Buſineſs and State of this Country, I always told them, that by an immoderate Attention to private Emolument, the Company and the Country would greatly ſuffer; that the Welfare of the Country, and the Increaſe of the Revenues, were the primary Objects which they ſhould continually keep in View. Mr. Haſtings, till he had informed himſelf from me of the Affairs of this Country, remained exceedingly well pleaſed with me; when he had acquired this Knowledge from me, he no longer conſulted me; inſtead of my Patron he became my Enemy, and acted as ſuch. Unattentive to the Welfare of the Country, and the Enrichment of the State, he made his own private Emolument the Rule of his Conduct. You, Honourable Sir and Sirs, will take into Conſideration this and my former Addreſs, and will act in whatever Manner you may judge moſt conducive to the Intereſt and Proſperity of the State and Country.

" I remain, &c.

" Calcutta, 13th March 1775. Signed (illegible) Nundcomar."

" Colonel Monſon begs leave to make the following Motion.—I propoſe that Raja Nundcomar be called before the Board to bring the Proofs of the Charge againſt the Governor in his Letter of the 8th inſtant.

" The Governor General enters the following Minute.

" Before the Queſtion is put, I declare that I will not ſuffer Nundcomar to appear before the Board as my Accuſer. I know what belongs to the Dignity and Character of the Firſt Member of this Adminiſtration. I will not ſit at this Board in the Character of a Criminal, nor do I acknowledge the Members of this Board to be my Judges. I am reduced on this Occaſion to make the Declaration, that I look upon General Clavering, Colonel Monſon, and Mr. Francis, as my Accuſers. I cannot prove this in the direct Letter of the Law, but in my Conſcience I regard them as ſuch, and I will give my Reaſons for it. On their Arrival at this Place, and on the firſt Formation of the Council, they thought proper to take immediate and deciſive Meaſures in Contradiction, and for the Repeal of thoſe which were formed by me in Conjunction with the laſt Adminiſtration. I appealed to the Court of Directors from their Acts. Many ſubſequent Letters have been tranſmitted both by them and by me to the Court of Directors.—By me, in Proteſtation

againſt their Conduct; by them, in Juſtification of it. Quitting this Ground, they ſince appear to me to have choſen other Modes of Attack, apparently calculated to divert my Attention, and to withdraw that of the Public from the Subject of our firſt Differences, which regarded only the Meaſures that were neceſſary for the Good of the Service, to Attacks directly and perſonally levelled at me for Matters which tend to draw a perſonal and popular Odium upon me; and fit Inſtruments they have found for their Purpoſe, Mr. Joſeph Fowke, Mahrajah Nundcomar, Roopnarain Chowdry, and the Ranny of Burdwan.

" It appears inconteſtibly upon the Records that the Charges preferred by the Ranny againſt me, proceeded from the Office of Mr. Fowke; all the Papers tranſmitted by her, came in their original Form written in the Engliſh Language, ſome with Perſian Papers of which they were ſuppoſed to be Tranſlations, but all ſtrongly marked with the Character and Idiom of the Engliſh Language. I applied on Saturday laſt for Perſian Originals of ſome of the Papers ſent by her, and I was refuſed: I am juſtified in declaring my firm Belief that no ſuch Originals exiſt.

" With reſpect to Nundcomar's Accuſations, they were delivered by the Hands of Mr. Francis, who has declared that he was called upon by Rajah Nundcomar, as a Duty belonging to his Office as a Councillor of this State, to lay the Packet which contained them before the Board. That he conceived that he could not, conſiſtent with his Duty, refuſe ſuch a Letter at the Inſtance of a Perſon of the Rajah's Rank, and did accordingly receive it, and laid it before the Board, declaring at the ſame Time that he was unacquainted with the Contents of it: I believe that the Court of Directors, and thoſe to whom theſe Proceedings ſhall be made known, will think differently of this Action of Mr. Francis: That Nundcomar was guilty of great Inſolence and Diſreſpect in the Demand which he made of Mr. Francis; and that it was not a Duty belonging to the Office of a Councillor of this State to make himſelf the Carrier of a Letter, which would have been much more properly committed to the Hands of a Peon or Hircarra, or delivered by the Writer of it to the Secretary himſelf.

Mr. Francis has acknowledged that he apprehended in general that it contained ſome Charge againſt me. If the Charge was falſe it was a Libel; it might have been falſe for any Thing that Mr. Francis could know to the contrary, ſince he was unacquainted with the Contents of it. In this Inſtance therefore he incurred the Hazard of preſenting a Libel to the Board: This was not a Duty belonging to his Office as a Councillor of this State. I muſt further inform the Board that I have been long ſince acquainted with Nundcomar's Intentions of making this Attack upon me. Happily Nundcomar, among whoſe Talents for Intrigue that of Secrecy is not the Firſt, has been ever too ready to make the Firſt Publication of his own Intentions. I was ſhewn a Paper containing many Accuſations againſt me, which I was told was carried by Nundcomar to Colonel Monſon, and that he himſelf was employed for ſome Hours in private with Colonel Monſon, explaining the Nature of thoſe Charges.

" I mention only what I was told; but as the reſt of the Report which was made to me correſponds exactly with what has happened ſince, I hope I ſhall ſtand acquitted to my Superiors and to the World in having given ſo much Credit to it, as to bring the Circumſtance upon Record. I cannot recollect the preciſe Time in which this is ſaid to have happened, but I believe it was either before or at the Time of the Diſpatch of the Bute and Pacific. The Charge has ſince undergone ſome Alteration, but of the Copy of the Paper which was delivered to me containing the original Charge, I cauſed a Tranſlation to be made: When ſuſpecting the Renewal of the Subject in this Day's Conſultation, I brought it with me, and I deſire it may be recorded, that when our Superiors, or the World, if the World is to be made the Judge of my Conduct, ſhall be poſſeſſed of theſe Materials, they may, by comparing the ſuppoſed Original and amended Liſt of Accuſations preferred againſt me by Nundcomar, judge how far I am juſtified in the Credit which I give to the Reports above mentioned. I do not mean to infer from what I have ſaid, that it makes any Alteration in the Nature of the Charges, whether they were delivered immediately from my oſtenſible Accuſers, or whether they came to the Board through the Channel of Patronage; but it is ſufficient to authorize the Conviction which I feel in my own Mind, that thoſe Gentlemen are Parties in the Accuſations of which they aſſert the Right of being the Judges. From the firſt Commencement of this Adminiſtration, every Means have been tried both to deprive me of the legal Authority with which I have been truſted, and to proclaim the Annihilation of it to the World; but no Inſtance has yet appeared of this in ſo extraordinary a Degree as in the Queſtion now before the Board. The Chief of the Adminiſtration, your Superior, Gentlemen, appointed by the Legiſlature itſelf, Shall I ſit at this Board to be arraigned in the Preſence of a Wretch whom you all know to be one of the baſeſt of Mankind? I believe I need not mention his Name; but it is Nundcomar: Shall I ſit here to hear Men collected from the Dregs of the People give Evidence at his dictating againſt my Character and Conduct? I will not; you may if you pleaſe form yourſelves into a Committee for the Inveſtigation of theſe Matters in any Manner which you may think proper, but I will repeat, that I will not meet Nundcomar at the Board, nor ſuffer Nundcomar to be examined at the Board, nor have you a Right to it, nor can it anſwer any other Purpoſe than that of vilifying, and inſult me to inſiſt upon it.

" I am ſorry to have found it neceſſary to deliver my Sentiments on a Subject of ſo important a Nature in an unpremeditated Minute drawn from me at the Board, which I ſhould have wiſhed

to have had Leiſure and Retirement to have enabled me to expreſs myſelf with that Degree of Caution and Exactneſs which the Subject requires. I have ſaid nothing but what I believe, and am morally certain, I ſhall ſtand juſtified for in the Eyes of my Superiors and the Eyes of the World; but I reſerve to myſelf the Liberty of adding my further Sentiments in ſuch a Manner and Form as I ſhall hereafter judge neceſſary.

" Ordered, That the Paper delivered by the Governor General be entered after this Conſultation.

" Colonel Monſon.—I beg that the Governor General will inform the Board, from whom he had his Information reſpecting the Viſit Nundcomar made to me, to explain the Paper of Charges which he propoſed to exhibit againſt the Governor.

" The Governor General.—I do not think the Queſtion a proper one. Colonel Monſon will be pleaſed to recollect, that he is one of a decided Body of this State in which all the Powers of it are inherent. I will not mark any Individual as an Object for his Reſentment; and I apprehend that, upon a very ſlight Recollection, he will ſee the Impropriety of requiring from me ſo unbecoming a Sacrifice. But as a further Proof, in Addition to what I have already urged, that I had Reaſon ſufficient to credit the Report, I will beg Mr. Barwell to inform the Board, whether he was not apprized of the ſame Circumſtances at the ſame Period of Time that I have mentioned myſelf.

" Mr. Barwell informs the Board, That he was apprized of it, and received a Copy of the ſame Paper that the Governor has laid before the Board.

" Colonel Monſon.—As the Governor General has not thought proper to acquaint the Board from whom he received the Information with regard to my Converſation with Nundcomar, I ſhall take no farther Notice of it; as I preſume an Aſſertion, even from the Governor General himſelf, will have no more Weight or Influence in the Opinion of the World, than from a private Member of this Board. I do hereby declare, that the Governor, and Mr. Barwell likewiſe, have been totally miſinformed; for I never heard nor ſaw any Paper in Perſian, or any other Country Language, which contained, to the beſt of my Knowledge, any Accuſation againſt the Governor General.

" The Queſtion propoſed by Colonel Monſon being put as before ſtated,

" Mr. Francis agrees to it.

" Mr. Barwell.—I ſee no Occaſion for Rajah Nundcomar's Preſence; and I do not think the Board can with any Propriety place the Governor on the Footing of a Criminal arraigned at their Tribunal, and Nundcomar on that of his Accuſer. The Rajah, if he has any ſerious Intention of proving the Matter, as he has ſet forth, and not of diſtracting ſtill further the Harmony of this Council, already too much divided, may have Recourſe to a very eligible and efficacious Mode of eſtabliſhing his Allegations. The Supreme Court of Judicature, which is now ſitting, will hear any Thing that he has to ſay in Behalf of the Company, will examine his Evidence, and determine upon the Repreſentations he may make. I do not think this Board competent in judging of Matters of this Nature; and I think it a very happy Circumſtance that the Legiſlature has appointed a Juriſdiction for the Cognizance of all Complaints that affect the Subject or the Government. It ties up the Hands of Power from gratifying any partial Aims, and leaves the Diſcuſſion of Facts, which muſt otherwiſe be tinged with the Paſſions of Men intereſted, free and open. I am therefore againſt the Motion; at the ſame Time that I am for enjoining the Secretary to inform Nundcomar, that it is expected he ſhall ſupport whatever he may think proper to ſet forth to this Board, by Evidence produced before any One of the Judges; and that unleſs he does this, the Board will reject any Complaints which he may prefer, as an injurious Libel upon the Governor."

" Colonel Monſon.—I think the Rajah ſhould be called in, to ſhew to the Board the Nature of the Evidence he has to produce, as the Proof of his Charge againſt the Governor General. If thoſe Proofs ſhould be thought ſufficient, this Cauſe may hereafter be tried in the Supreme Court. I more particularly wiſh that the Board may receive Nundcomar, as it will give the Governor General an Opportunity of confuting the Charges brought againſt him."

" General Clavering.—I think it both for the Honour of the Governor General, and for the Dignity of this Board, which is wounded by a criminal Accuſation exhibited againſt the Firſt Member of it, that Raja Nundcomar ſhould appear before the Board, to lay before us the Proofs he has of the Allegations which he has exhibited againſt the Governor General. Were we to refuſe him, the Governor might juſtly reproach us with having defeated the only Means by which his Honour could be reſcued from ſo reproachful an Accuſation. He might then ſay, as he has done in his Minute juſt delivered to us, that we have refuſed him the Proof that he might obtain of his Innocency. In reſpect to the original Papers, referred to in the Ranny of Burdwan's Petition, which he demanded, thoſe Papers, as I underſtand, were at the Door, and the Ranny's Vackeel ready to deliver them. If the Proofs which Nundcomar has offered to produce are judged groundleſs, or if the Papers which the Ranny of Burdwan's Vakeel ſtill offers to produce are not authentic Vouchers of Bridjoo Kiſſore's Accounts, I ſhall then be the firſt to propoſe the Queſtion to this Board, that the Accuſations brought againſt the Governor General are malicious and falſe. For theſe Reaſons I deſire that Nundcomar may be brought.

" The

" The Governor General.—I have delivered my Opinion. I do not underſtand the Queſtion to be, Whether Nundcomar ſhall be called before the Board—but whether I ſhall be confronted with him; ſince the ſame Effect may be produced, as I have declared before, by a Committee of the Board, without my Preſence.

" Reſolved, That Nundcomar be called before the Board; and the Secretary is ordered to ſummon him accordingly.

" Colonel Monſon gives in the following Minute.

" The Governor General's Minute, on my Motion to introduce Nundcomar, contains little more than general Invective in anſwer to a poſitive Charge; it tends to prove me his collateral Accuſer, from an Information given him by a Perſon who he refuſes to make known; but ſuppoſing I had ſeen the Paper alluded to, it does not invalidate the Fact contained in it.

" I made the Motion, conceiving it was for the Honour and Dignity of Government that we ſhould proceed, as far as we were juſtified by Law, to attain as much Information as might be thought neceſſary to paſs a Cenſure upon Nundcomar, if any Circumſtances ſhould appear which might incline us to believe that Nundcomar has been guilty of a Slander; and that this could be done in no Way ſo well as in the Governor's Preſence.

" The Governor General.—I declare the Council now diſſolved; and I do proteſt againſt any Acts of it as a Council during my Abſence, as illegal and unwarranted.

" Mr. Francis.—I beg Leave to aſk the Governor General whether he means to quit the Chair.

" The Governor General.—I ſhall not anſwer your Queſtion, becauſe I do not think it ſufficiently defined.

" I quit the Council.

Warren Haſtings."

Signed (at the End of Conſultation)

" J. Clavering,
Geo. Monſon,
P. Francis."

Then the Managers for the Commons being about to read the Remainder of the ſaid Conſultation, containing an Examination of the Rajah Nundcomar, in ſupport of the Charge abovementioned, in order to introduce the Demeanour of the Defendant thereupon; it being ſtated by the Managers for the Commons, that the ſaid Examination afterwards came to the Knowledge of the Defendant, and was by him tranſmitted to the Court of Directors,

The Counſel for the Defendant objected thereto: Firſt, becauſe the ſaid Examination was not upon Oath. Secondly, becauſe it was taken in the Abſence of Mr. Haſtings. Thirdly, as being a Proceeding before an incompetent Juriſdiction; and laſtly, that the ſaid Rajah Nundcomar was afterwards convicted of a Forgery, committed by him prior to the ſaid Examination being taken.

The Managers for the Commons being heard in Anſwer to the ſaid Objections, and the Counſel in Reply,

The Houſe adjourned to the Chamber of Parliament.

Die Mercurii, 20° Maii 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid, "Gentlemen, Managers for the Houſe of Commons, and you Gentlemen who are of Counſel for the Defendant, the Lords have reſolved, That it is not competent for the Managers for the Commons to produce the Examination of Nundcomar in Evidence; the ſaid Managers not having proved, or even ſtated, any Thing as a Ground for admitting ſuch Evidence, which, if proved, would render the ſame admiſſible; and this Reſolution they have commanded me to communicate to you.

"Gentlemen, Managers for the Houſe of Commons, you may proceed with your Evidence."

Then the Managers for the Commons deſired Leave to withdraw.

The Managers for the Commons having returned, deſired that an Extract of a Conſultation of the 20th of March 1775, might be read, in order to ſhew that Mr. Haſtings was officially and regularly informed of all the Proceedings of the Reſt of the Counſellors on the 13th March 1775, after he left the Council.

Read, from Book 9, already delivered in, the following Extract of a Conſultation of the 20th March 1775, beginning at Page 1499 of the ſame Book.

"Fort William, the 20th March 1775.

"At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, Preſident; — Secret Dept. Monday.
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, Philip Francis, } Eſquires.

"Read, the Conſultation of the 13th inſtant."

Then the Managers for the Commons deſired the Conſultation of the 13th inſtant might be read.

The Counſel for the Defendant objected to the ſame, as tending to introduce that *per indirectum* which the Managers for the Commons could not introduce *per directum*.

The Managers for the Commons being heard in Anſwer to the ſaid Objection, and the Counſel in Reply,

The Houſe adjourned to the Chamber of Parliament.

The Lords being returned, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid, "Gentlemen, Managers for the Houſe of Commons, and you Gentlemen who are of the Counſel for the Defendant, the Lords have reſolved, That the Circumſtance of the Conſultation of the 13th March 1775, being read at a Conſultation of the 20th of March 1775, at which Mr. Haſtings was preſent, does not of itſelf make the Matter of ſuch Conſultation of the 13th of March 1775, admiſſible Evidence; and this Reſolution they have commanded me to communicate to you."

Then the Managers for the Commons propoſed to read the Whole of the Conſultation of the 20th of March 1775, and in the Firſt Place the Conſultation of the 13th March 1775, referred to therein, as making a Part of the ſaid Conſultation of the 20th of March 1775, in order to ſhew the Demeanour of Mr. Haſtings thereupon.

Then the Houſe adjourned to the Chamber of Parliament.

Die Jovis, 21° Maii 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid, "Gentlemen, Managers for the Houſe of Commons, and you Gentlemen who are of Counſel for the Defendant, the Lords have reſolved, that the Conſultation of the 13th of March 1775, cannot now be read."

Then the Managers for the Commons deſired the following Extract of a Conſultation of the 20th March 1775, might be read.

The ſame was read accordingly, from Book 9, already delivered in, beginning at Page 1499.

"Fort William, the 20th March 1775.

"At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

Secret Dept. Monday.

"The Secretary informs the Board, that he laſt Night received an Order from the Governor General to ſummons a Council this Morning, in conſequence of the following Letter to him, which he ordered to be recorded.

"Sir,

"We have the Honour to inform you, that we have received Advices of very great Importance from the Second Brigade, now in the Field, which have a Relation to the Conſpiracy mentioned in Colonel Galliez's Two laſt Letters. We deſire that you will be pleaſed to ſummon a Council, in order that we may lay the above Advices before the Board, and take the Subject of them, together with ſome other Points of material Buſineſs, into immediate Conſideration.

A Council called at the Deſire of the General, Colonel Monſon, and Mr. Francis.

"We have the Honour to be,
with great Reſpect,
Sir,
Your moſt obedient and moſt
humble Servants,
(Signed) "J. Clavering,
Geo. Monſon,
P. Francis."

"Read, the Conſultation of the 13th inſtant.

"The Governor General.—I declare that the Words, 'I quit the Council,' were not recorded by me. What I ſaid on leaving the Room I do not remember; but I know that I never meant to acknowledge the Exiſtence of the Council after I had quitted the Room, and had declared it to be diſſolved.

"General Clavering moves, That the Proceedings of the 13th inſtant be recorded, as read and approved.

"Mr. Francis agrees.

"Mr. Barwell.—The Proceedings of the Board of that Day I approve; the Proceedings after the Diſſolution of the Board by the Governor General, the Majority of the Members have certainly a Right to introduce on the Proceedings; but I eſteem it merely in the ſame Light as any Conſultation which Two, Three, or Four Members of the Board, aſſembling in any other Place but the Council Houſe, may with equal Propriety have conducted and introduced in a Minute, as the Reſult of their joint Opinions and Deliberations. The Subject which is treated on in this Addition to the Conſultation of the 13th inſtant, I have from the Firſt declared to be improper, and I look upon it to be more eſpecially ſo, as the Governor General has expreſsly charged the Three

Three Gentlemen, who took Cognizance of the Charges brought by Nundcomar againſt him, to be Parties in the Accuſation. There is ſomething ſo ſtrikingly improper in the Accuſers and Accuſed ſitting at the ſame Tribunal, that I own it could have afforded me extreme Satisfaction if the Alternative I had propoſed, in delivering my Opinion when this Matter was firſt introduced, had been purſued, and the Character and Dignity of the firſt Officer of the Government not lowered in the Opinion of the Natives, by promulgating, throughout the whole Country, that all Power and Authority was taken out of the Hands of the Preſident.

" Colonel Monſon.—I agree to the Motion, acknowledging no Power or Authority in the Governor General ſolely to diſſolve this Board.

" General Clavering agrees to the Motion.

" The Governor General.—I agree to the Motion, ſo far as it reſpects the Proceedings of the Board, of which I am the Head. The Proceedings of General Clavering, Colonel Monſon, and Mr. Francis, held after my Departure, and after I had declared the Meeting of the Board to be diſſolved, I do not acknowledge to be the Proceedings of the Board; I therefore cannot approve them.

" General Clavering, Colonel Monſon, and Mr. Francis deliver in the following Minute.

" The Governor General having repeatedly claimed and endeavoured to exerciſe a Power of diſſolving this Council in its ſeveral Departments, and having alſo repeatedly and publickly declared his Opinion, that any Acts done by the Majority of the Council in his Abſence, (when he had quitted the Chair in Oppoſition to the Senſe of the Majority), were not the Acts of the Board, nor legal, which Declaration he has been pleaſed to confirm by his Letter to Mr. Richard Sumner of the 18th inſtant, recorded in the Conſultation of the Revenue Department; we beg Leave to lay before the Board our Reaſons for thinking that his Opinions and Conduct above-mentioned are not warranted by Law; and we requeſt that he will be pleaſed to communicate to us, the Arguments which induce him to think that ſuch Opinions and ſuch Conduct are conformable to the Act of Parliament which conſtitutes the preſent Government. We for ourſelves are convinced that his Conduct in this reſpect is illegal, and that the public Declaration he has made of his Opinion, tends manifeſtly to encourage a general Reſiſtance to the Authority of this Government, and to the Subverſion thereof.

" If the Governor General can legally diſſolve the Council at his Pleaſure, it follows of Courſe that any Acts done by the remaining Members in his Abſence, are not the Acts of the Board, nor legal; but we deny the Power claimed by the Governor General in this reſpect, as we know no ſuch Authority in him; though ſuppoſing he ever had been inveſted with ſuch Power, it is clear that the ſame is taken away by the late Act of Parliament, by which the Conſtitution of our Settlements in India is wholly new modelled, and the whole Civil and Military Government of this Preſidency, is veſted in a Governor General and Four Counſellors, in like Manner to all Intents and Purpoſes whatſoever, as the ſame at the Time of paſſing the Act were, or might have been exerciſed by the Preſident and Council, or Select Committee. This Clauſe ſeems to us not at all to apply or extend to the particular Mode in which the Power given ſhall be exerciſed, but only to fix and aſcertain the Extent of it. The ſubſequent Clauſe deſcribes and defines the Manner in which it ſhall be carried into Execution, and it is enacted, That in all Caſes whatſoever, or wherein any Difference of Opinion ſhall ariſe in any Queſtion propoſed in any Conſultation, the ſaid Governor General and Council ſhall be bound and concluded by the Opinion and Deciſion of the major Part of thoſe preſent.

" Suppoſe then a Queſtion to ariſe, Whether the Council ſhould be diſſolved; the Majority of the Members ſhould be of Opinion, that it ſhould not, in Oppoſition to the Governor General; does not the Act expreſsly declare, that he by Name ſhall be bound by the Deciſion of ſuch Majority? Suppoſe again, that he ſhould be of Opinion that the Council ſhould not be diſſolved, and the Majority preſent ſhould be of a contrary Opinion; would it be at all conſiſtent with the Act, that he alone, or that he and One other Member, ſhould continue ſitting, and do Buſineſs? If he could do the One, we think he might with equal Propriety do the other. There ſeems to us the ſame Reaſon and the ſame Right for each.

" In every Act, whether of a public or private Nature, the Rule of Conſtruction ought to be, that the Intent and Purpoſe for which the ſame was made and done, ought to be ſubſtantially purſued: How could this be the Caſe, ſuppoſing the Power of diſſolving the Council was veſted in the Governor General? Whenever any Buſineſs came to be agitated, which we will ſuppoſe he ſhould not approve of, how eaſy a Matter would it be for him immediately to diſſolve the Council, and ſo toties quoties, whenever the ſame Caſe ſhould happen. This would ſtop all publick Buſineſs, but ſuch as he alone choſe to enter upon, and in Effect make him abſolute; in both Caſes it would be directly to counteract the moſt obvious Ends and Purpoſes of the Act of Parliament.

" From whence the Idea of this Power ariſes we are at a Loſs to conceive, unleſs from the Nature of the Power veſted in His Majeſty's Governors in our American Colonies and Plantations; there, it is true, the Governor is the ſole Repreſentative and Deputy of the King, and as ſuch has the Power of diſſolving or proroguing their Provincial Aſſemblies as he thinks proper; but then ſuch Power is annexed to the Office by the original Conſtitution granted by the King to thoſe Countries, and expreſsly confirmed by His Majeſty's Commiſſion and Inſtructions to each ſucceeding Governor; which

which is by no Means the Caſe here: Neither is there, as we conceive, the leaſt Analogy between the Conſtitution of thoſe Countries and this. But even ſuppoſing there ever had been, no Doubt can be entertained, but that the Whole of the Conſtitution of all thoſe Countries is liable to be new modelled and reformed by the general ſuperintending Power of the Britiſh Legiſlature, and is in every reſpect ſubject to their Controul. There the Parliament has thought proper to interfere, and has clearly drawn the Line.

" The Inſtructions from the Court of Directors were, or ought to have been, till this Act of Parliament, the ſole Guide, as we apprehend, for the Governor, or rather Preſident and Council here, to go by: Such Inſtructions are ſtill in ſome Meaſure to be followed, but not wholly ſo. The Court of Directors may, it is true, inſtruct the Governor General and Council, as to the particular Manner of carrying the Act into Execution; but were they to give any one Inſtruction, which might even indirectly tend to counteract it, it would not, we preſume, be doubted, but that ſuch Inſtruction ought to be wholly diſregarded. If ſo, and there is no particular Authority given to the Governor General, either by the King, the Parliament, or the Court of Directors, to exerciſe the Power in Queſtion, we do not ſee from whence it can originate. The Name of Governor General is, with all due Deference, nothing but a mere empty Sound. The Privileges and Powers annexed to ſuch Title is what alone makes it valuable to its Poſſeſſor, or reſpectable to others. What ſuch Privileges and Powers are, can only be known and defined by a Reference had to the Grant by which ſuch Title is conferred; that, in the preſent Caſe, is the Act of Parliament; and we do not find that it either expreſsly or implicitly, directly or indirectly, gives any ſuch Power as that claimed by the Governor General.

" We think the Preſence of the Governor General is not eſſential to the Conſtitution of a Council, ſince the Act provides, that in his Abſence, and ſuppoſing the remaining Members to be equally divided upon any Queſtion, the eldeſt Counſellor preſent ſhall have a Caſting Voice, and his Opinion ſhall be deciſive and concluſive.

(Signed) " J. Clavering,
G. Monſon,
P. Francis."

" The Governor General.—This Queſtion has already been put, and amply diſcuſſed, at the Revenue Board, on the 14th inſtant. I do not recollect any Arguments or Authorities by which I can ſuſtain my Part of the Queſtion ſtronger or more appoſite than thoſe which are contained in my Minute upon that Queſtion, and in my Minute of Reply to a preceding Queſtion of Mr. Francis, on that Day, upon the ſaid Subject. If, on the Reviſal of thoſe Minutes, and on an attentive Peruſal of the Minute now delivered in by the Majority, I ſhall find it neceſſary to uſe any further Arguments on the Subject, I will record them. For the preſent, I ſhall only declare, that I abide by my former Reſolutions.

" Mr. Francis moves, That a Letter to the Honourable the Court of Directors be immediately drawn up, and diſpatched over Land, to acquaint them of the Difference which has unhappily ariſen in this Council between the Governor General and Mr. Barwell, on the one Side, and General Clavering, Colonel Monſon, and Mr. Francis on the other, reſpecting a Power claimed by the Governor General to diſſolve the Council at his Pleaſure; the former aſſerting, and the latter denying, the Legality of ſuch a Claim. That the Arguments on both Sides be alſo tranſmitted to the Court of Directors, with the unanimous Requeſt of the Board, that a Deciſion of the above Queſtion be obtained and tranſmitted to this Government, as ſoon as poſſible.

" Mr. Barwell.—I ſee no Objection to it at preſent; if any ſhould occur to me afterwards, I ſhall ſend them in.

" Colonel Monſon agrees.

" General Clavering agrees.

" The Governor General.—I cannot refuſe my Aſſent to the Queſtion, wiſhing equally with the Gentlemen from whom I underſtand the Propoſition to come, an early Deciſion of it. My Sentiments, unſupported but by a ſingle Member of the Board, impoſing every Diſadvantage on me, to which nothing but the Senſe of the Duty which I owe to the reſpectable Powers from whom I hold my Appointment, could induce me to ſubmit; but there are many Objections to the Propoſal, which would have diſſuaded me from being the Mover of it. I do not approve of detached Queſtions being ſent to the Court of Directors, conſidering (as I do) this only a Point of a connected and deliberate Syſtem adopted on the firſt Formation of the Council, and continued without Intermiſſion to this Day. To render our Advices on this Subject complete would require a great Variety of Materials on both Sides of the Queſtion. It will be ſcarce poſſible to commit theſe to * Ceypher in the midſt of the voluminous Diſpatches of the laſt Ship of the Seaſon; and it will be dangerous to tranſmit them in plain Writing. However as the Queſtion has been put, and reſolved on, I will endeavour to perform my Part in the Preparation of the Advices which are to be thus tranſmitted.

* Sic in Orig.

" Agreed.—That a Letter to the Honourable the Court of Directors be prepared accordingly, to be tranſmitted to them over Land.

" General Clavering.—The Refuſal which Cantoo Baboo, the Governor General's Banyan, made to comply with an Order of this Board on the 13th inſtant, which required his Attendance here, appears ſo contumacious to the Authority of the Government, that I move that an Order of the Board be immediately given to bring him here to anſwer for his Contempt.

" The Governor General.—This is the Third Time that ſpecious Pretexts have been made Uſe of to induce me to iſſue a Summons for the Meeting of the Board, to introduce concealed Matter. The Firſt Petition of the Ranny of Burdwan, and all the Proceedings immediately ſubſequent upon it, were introduced in this ſecret Way. A Council was then called in the Revenue Department, at the Requiſition of the Gentlemen of the Majority, for ſpecial Purpoſes, minutely expreſſed; and this was the Subject firſt introduced. The Meeting of the Board in the ſame Department, on the 17th of this Month, was likewiſe deſired for expreſs Purpoſes; and the ſame Queſtion which is now before the Board was then brought on before any other Queſtion was propoſed, although no Intimation of it, or Alluſion to it, had been made in the Requiſition for the Meeting of the Board. The Purpoſe, for which the ſame Gentlemen have required a Meeting of the Board To-day, are expreſſed in the Letter to me recorded on this Day's Conſultation; the firſt Part of which alludes to ſome Matter of great Danger impending on the Second Brigade; yet I find every other Buſineſs muſt be poſtponed, and the ſame Queſtion which was propoſed at the laſt Revenue Board again renewed in this, without the leaſt previous Intimation. What Concluſion am I to draw from theſe Proceedings, but that the ſole Buſineſs of this Board is to treat their Preſident with perſonal Attacks and Indignities?—I will not aſſent to the Queſtion, and I proteſt againſt it.

" Mr. Francis gives in his Opinion as follows:—I apprehend that the Governor General and Council, or the Majority of them, are legally veſted with a Power to ſummon any Native of this Country, being a Subject of this Government, to attend at the Board; and to proceed againſt the Party refuſing to comply with ſuch Summons, as for a high Contempt. The former Adminiſtration unqueſtionably exerciſed this Power in a Multitude of Inſtances. The preſent Governor and Council, or the Majority of them, are veſted with the ſame Powers, to all Intents and Purpoſes, as the ſame might at any Time heretofore have been exerciſed by the late, or any former Adminiſtration. I think that Cantoo Baboo has been guilty of repeated Acts of Contempt to the Supreme Council of this State, and that our firſt and moſt important Buſineſs and Duty is, to aſſert and maintain our Authority. When this Queſtion is determined, we may immediately proceed to the other Buſineſs before us. I agree to the Motion.

" Mr. Barwell.—I am againſt the Motion, not knowing any Inſtance of Contumacy that Cantoo Baboo has ſhewn to this Board. I eſteem the Governor General as Head Officer of the State, to execute the Reſolutions of the Government, and to be reſponſible for any Deviation that may be charged to him before a higher Tribunal than this Board. I think this Power proper and neceſſary to be veſted in the Governor General, and that it is veſted in him by the Act of Government; that his Conduct in this Particular cannot be controuled by the Board; for could it, he himſelf might be made the Inſtrument of every Indignity and Contumacy, if any ſuch ſhould be attempted to be thrown on his Office. I therefore do conceive the Governor has a * Nagative to the enforcing of any Act of the Council; that the Council cannot legally enforce any Act but through the Governor General, who is reſponſible, as I have already obſerved, to a higher Power than this Board, for refuſing his Authority to the enforcing a Reſolution that may lower his Office, and render it contemptible. This could never be deſigned by the Legiſlature; and the Governor himſelf is to judge the Inſtances that may ariſe, and the Propriety of his refuſing to concur in the Reſolutions with his executive Authority. Cantoo Baboo is a very old Servant of the Governor General's. It is well known that he would not have acted in Oppoſition to the Orders of General Clavering, Colonel Monſon, and Mr. Francis, had he not conceived in ſo doing, he was acknowledging a Power ſuperior to the Governor's †. If therefore he is called before this Board and cenſured, for not obeying an Order out of the uſual Form and irregular, the Cenſure will not adhere to him, but to the Governor General. This, I think, ſhould be avoided; and any Reſolution that the Board may paſs ſhould be confined merely to our Proceedings, and not publiſhed by an expreſs Act that muſt degrade the Governor General irretrievably in the Eyes of all the Inhabitants.

* Sic in Orig.

† Sic in Orig.

" Colonel Monſon.—I think the Conſtitution of this Government has been deeply wounded in the unjuſtifiable Conduct of Cantoo Baboo, in refuſing to obey the Summons ſent him by this Board. This Board has ever exerciſed an Authority to ſend for Perſons before them. This Power, in many Inſtances, was exerted during the laſt Government; and all Powers that they enjoyed are inherent in this Government by the late Act of Parliament. I therefore am for the Queſtion.

" General Clavering.—No Government can ſubſiſt without its Orders be obeyed. The Reſiſtance which Cantoo Baboo, the Governor's Banyan, has ſhewn in diſobeying an Order of the Government, renders it abſolutely neceſſary, that the firſt Moment that the Council aſſembled ſhould be employed in aſſerting and vindicating its Authority. The Contumacy of this Man is ſo much the greater, as he has dared to make uſe of the Governor General's Name as a Reaſon for his Diſobedience. I therefore could wiſh that the Governor General himſelf would, in Support of his own Dignity, unite with the other Members of the Board in bringing this Man to condign Puniſhment.

" Governor

" Governor General.—Cantoo Baboo, as the Servant of the Governor, is conſidered univerſally as the Firſt native Inhabitant of Calcutta. I obſerve the Streſs which has been laid upon the opprobrious Term Banyan, applied to him, which is not applicable to him, if uſed in the ſame Senſe by which the common Brokers in this Place are diſtinguiſhed under that Appellation. He is a Man of a very creditable Family, not a Native of Calcutta, and has been publicly known many Years in this Country, in which his Character is to this Day irreproachable. As my Servant, he is amenable to the Juriſdiction of the Superior Court of Judicature, by the expreſs Words * upon Act of Parliament. He was not ſubject to the Mayor's Court, in which the Exerciſe of the Engliſh Law was veſted before the Conſtitution of the Superior Court. Any Concluſions therefore drawn from the Practice of former Governments, in which different Rights and Powers were ſuppoſed to be inherent, but have been ſince expreſsly abrogated, are fallacious and unwarranted. I repeat, that I am againſt the Queſtion.

* Sic in Orig.

" General Clavering.—I underſtand that Cantoo Baboo is the Governor General's Banyan, in the ſtrict Senſe in which that Term is underſtood in Calcutta; that he exerciſes all the Functions of that Office, whatever it may be. I am not acquainted with his Origin; but I have always underſtood that he was Mr. Sykes's Banyan before he entered into the Governor General's Service; but he is a Farmer, as I have ſaid before in the Proceedings of the Revenue Board, to a conſiderable Amount, and in that Quality alone I call upon the Governor General to declare whether he is not amenable to this Board.

" Governor General.—Amenable to this Board as a Farmer? moſt undoubtedly he is, if by amenable is meant accountable for his Rents; but it appears then, that I have been all along deceived. I thought he had been called upon for other Purpoſes, with which his Profeſſion as a Farmer had not even the moſt diſtant Relation. If I underſtand the Engliſh Law, and the univerſal Principles of Juſtice, the Application of a legal Power to illegal Purpoſes, the Aſſertion of a Right to a legal Power for Purpoſes which do not appertain to it, is Oppreſſion. If this is the Uſe that the Board mean to make of their Authority which they hold over the Farmers of the public Revenue, I ſhall proteſt againſt it in every Inſtance, as tending to reduce thoſe who unfortunately hold thoſe Offices to the laſt Degree of Servitude, to diſcourage Men of Property and Credit from offering themſelves as Farmers, and thereby eſſentially to injure the public Revenue.

" General Clavering.—I have declared in my Motion, that my Reaſons for propoſing that Cantoo Baboo might be brought here, † was to anſwer for his Contempt. Perhaps, in the other Council, I will take Care that he anſwers for all the Balances which may be due from him, for thoſe immenſe Farms which he has been ſuffered to relinquiſh, to the Amount of Eight Lacks of Rupees. It is ſufficient for the preſent, that the Board carry into Effect what has already been reſolved by the Majority of the Board.

† Sic in Orig.

" Governor General.—I muſt proteſt alſo againſt this Reſolution of General Clavering, againſt all its Conſequences, underſtanding it as a Declaration to puniſh Cantoo Baboo in his Character of a Farmer; not for his Conduct in the Diſcharge of that Truſt, but for his Conduct in Matters which have no Relation to it.

" General Clavering.—I have never ſaid that I would puniſh him; I ſaid that I would make him accountable for whatever Balances may appear to be due from him. If that is a Puniſhment he certainly ſhall receive it, as far as my poor Endeavours can be uſed to forward it.

" Governor General.—I ſtill adhere to my ‡ Inſtruction of the General's Declaration, as it is not connected with any Subject that has Relation to his Farms, nor furniſhed by any apparent Occaſion in the Management of them. Whether I am right or wrong the Court of Directors will be the Judges.

‡ Sic in Orig.

" Agreed to the Motion of General Clavering, and ordered, that the Secretary iſſue a Summons for the Attendance of Cantoo Baboo.

" The General further moves, That an Order in the uſual Form be immediately ſent to Cantoo Baboo to attend, with Directions to the Meſſenger to leave it at his Houſe, if he ſhould not find him at Home, to direct him to attend on the Council, on the firſt Day of its Meeting, of which the Secretary ſhall give him previous Notice.

" Mr. Francis.—I agree.

" Mr. Barwell.—I agree.

" Mr. Monſon.—I agree.

" Governor General.—Having objected to the firſt Queſtion, I cannot give my Aſſent to this.

" Agreed to the above Motion of General Clavering's.

" Ordered, That the Secretary do immediately ſend the Summons to Cantoo Baboo, and that he give the propoſed Directions to the Meſſenger.

(Signed at the End)

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Rich. Barwell,
P. Francis."

Read,

Read, alſo, the following Extract from Page 1583 of the ſame Book, and ſame Conſultation.

" Cantoo Baboo, attending according to the Summons of the Board, is called in, and Colonel Monſon propoſes the following Queſtions to be put to him.

Q. Did you receive a Summons from this Board on Monday the 13th inſtant, to attend them?

Mr. Auriol, Aſſiſtant Secretary, is deſired to interpret the Queſtions to Cantoo Baboo, with his Anſwers; and having accordingly put the above Queſtion to him, he anſwers,

A. I did.

Q. Why did you not come?

A. I was with the Governor, who heard of the Summons, and ſaid, What Occaſion is there for your going? Don't go.

Q. Are you not ſenſible that the Authority of this Government is placed in the Council?

A. We Bengallies, the People of this Country, know that the Governor's Orders are in Force upon us, and that next to theſe the Orders of the Council are over us.

Q. Would you not have obeyed the Orders of the Council, if the Governor had not told you to diſobey them?

A. I certainly ſhould have obeyed the Orders.

Q. Did you receive a Summons on Tueſday the 14th inſtant to attend the Board of Revenue?

A. I did receive it.

Q. Why did you not obey it?

A. For the ſame Reaſons as thoſe I before mentioned.

Q. Did you not receive another Order to attend the Board of Revehue on Friday the 17th inſtant?

A. I did not receive any on Friday. I got One on Saturday, to attend at the Firſt Council; and I returned for Anſwer to Mr. Sumner, that I would attend at the Firſt Council. I went to Mr. Sumner's that Morning, and I learnt that there was no Board there, but he directed me to be preſent on the Firſt Council Day.

Q. Did you receive an Order of this Board to attend here To-day.

A. I received no written Order To-day. A Perſon left Word at my Gate, and on receiving the Notice I came.

Q. Do you know from whom that Perſon came?

A. I did not ſee the Peon. My People told me that a Peon had come with an Order of Council, and had left Word, that it was the Council's Order for me immediately to attend.

Cantoo Baboo is now ordered to withdraw.

" General Clavering.—The Governor having threatened me, for having propoſed a Form of Puniſhment for Cantoo Baboo, that which he uſually inflicts every Day upon the poor Natives, by putting them in the Stocks by Ten or Twelve at a Time; that if I meant any Thing perſonal to him, he would make me anſwer for it with his Life: I therefore move, that Cantoo Baboo be put into the Stocks, to have that ſame Puniſhment inflicted upon him which the Governor inflicts every Day upon ſo many miſerable Hindoos, barely for eaſing themſelves upon the Eſplanade Two Miles Diſtance from the Town.

" The Governor General.—The General has not uſed my Words, which I will repeat. The General had Twice propoſed, and in the Language of a Menace, that Cantoo Baboo ſhould be put in the Stocks. I ſaid, if he attempted any Thing in his own Perſon, and by his own Authority, I would oppoſe it with my Perſon, or perſonally oppoſe it at the Peril of my Life. I added, that if he made uſe of the Law, I would oppoſe him by the Law. Mr. Barwell, are theſe my Words?

" Mr. Barwell.—I remember Words to ſuch Effect.

" General Clavering.—I deny having uſed any Language, or any Appearance of Menace to the Governor General; I know too well what I owe to his Situation to be guilty of it. As he muſt have been acquainted with the uſual Forms of Puniſhment for Contempts, I applied to him to know what it was, and aſked him if the Stocks were not uſed upon ſuch Occaſions. I was then ſurprized to hear him declare, that he would reſent perſonal Attacks (or Words to that Effect) with his Life.

" The Governor General.—I cannot help remarking the Pains taken by General Clavering, by Alluſions to every Part of my Conduct, and loading it with Terms of Reproach, to provoke me beyond the Line of that Moderation and Temper, which I have exerciſed in a Courſe of almoſt exhauſted Patience, during the laſt Six Months. I was firſt attacked on the Subject of the Jaut Malla Cutcherry, which was repreſented as arbitrary and oppreſſive, although this has exiſted from the firſt Eſtabliſhment of the Company, and had no Relation to the Subject of Debate before us. If it was improper, why was it not propoſed long ago that it ſhould be aboliſhed? Why reſerved for this Time, to be made uſe of as an Inſtrument of Provocation? The Stocks were erected on my firſt coming to the Government to preſerve the Air of the City from the fouleſt Nuiſance; they have con-

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tinued ever ſince, and I have always underſtood, that it was univerſally looked upon as a Benefit; if it was wrong or illegal, why have they ſo long been permitted to remain there? A Motion of the Board might have effected their Removal; but to propoſe to inflict ſuch a Puniſhment, ſo diſgraceful to a Man of Character and Credit, would be an Extenſion of Rigour equal to Death.

" Mr. Francis moves for an Adjournment of the Board.
" Mr. Barwell has no Objection.
" Colonel Monſon.—I conſent to the Motion.
" General Clavering.—I agree to adjourn.
" The Governor General.—I have no Objection.
" Agreed, that the Board do adjourn accordingly.

(Signed) at the End,

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Richd Barwell,
P. Francis."

Then the Managers for the Commons propoſed to read the Conſultation of the 13th of March 1775:

The Counſel for the Defendant objected to the ſame, inaſmuch as the Poſition of the Evidence was not varied by any Thing contained in the Conſultation of the 20th of March 1775, from what it was before that Conſultation was read.

The Managers for the Commons being heard in Anſwer to the ſaid Objection, were aſked, " If they would not ſtate the Whole of the Circumſtances upon which they meant to rely, as a Ground to entitle them to read the Proceedings of the 13th March 1775, abovementioned."

The Managers for the Commons deſired leave to withdraw:

And being returned, requeſted the Deciſion of the Houſe upon the Evidence as it now ſtood, reſerving to themſelves a Liberty in future to lay any other Ground for the Introduction of the Proceedings of the 13th March 1775, if neceſſary.

Then the Houſe adjourned to the Chamber of Parliament.

Die Mercurii, 27° *Maii* 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid, "Gentlemen, Managers for the Commons, and you Gentlemen who are of Counſel for the Defendant, the Lords have come to this Reſolution, That the Examination of Nundcomar, and the reſt of the Proceedings of the Councillors on the 13th of March 1775, after Mr. Haſtings left the Council, ought not to be read; and this Reſolution they have commanded me to communicate to you."

Then the Managers for the Commons deſired, that Philip Francis Eſquire might be called to prove that a Letter from the Munny Begum to the Rajah Nundcomar, charging Mr. Haſtings with the Receipt of Three Lacks and an Half of Rupees, was delivered in to the Council on the 13th of March 1775, and that Mr. Haſtings knew the Begum had written ſuch a Letter.

Accordingly PHILIP FRANCIS Eſquire, was called in; and being ſworn was examined as follows:

Q. Whether an Enquiry was not inſtituted upon a Charge made by the Rajah Nundcomar in the Council of Bengal?

The Counſel for the Defendant deſired that, before the Witneſs anſwered that Queſtion, he might be aſked, whether there was any Enquiry inſtituted, except what was taken down in Writing by way of Conſultation?

A. I know of no other.

The Counſel for the Defendant objected to the former Queſtion being put by the Managers for the Commons.

Q. (*by Managers*). Did a Perſon called Nundcomar appear before the Council; and was he examined, and to what Points?

The Houſe informed the Managers for the Commons it was impoſſible to put that Queſtion, after the Witneſs had ſaid there was no Tranſaction at that Time but what was reduced into Writing.

Q. After Mr. Haſtings left the Council on the 13th Day of March 1775, was any Proceeding continued before it?

A. After Mr. Haſtings left the Council, which I think was on the 13th of March, there were Proceedings.

Q. (*by a Lord.*) And they were alſo taken down in Writing?

A. And they were alſo taken down in Writing.

Q. (*by Managers.*) Whether among thoſe Proceedings a Letter from the Munny Begum was not delivered in, mentioning certain Circumſtances tending to prove that Mr. Haſtings had received a Bribe from her of Two Lacks and a Half of Rupees?

The Counſel for the Defendant objected, that the Letter would ſpeak for itſelf, and that parole Evidence could not be given of its Contents.

Then the Witneſs was directed to withdraw.

Then the Managers for the Commons deſired a Letter from Mr. Haſtings to the Court of Directors of the 25th of March 1775 might be read, to ſhew that though he had entered into a minute Defence againſt every other Charge alledged againſt him at that Time, he had not taken the leaſt Notice of the Letter of the Munny Begum delivered in by the Rajah Nundcomar.

Read, from Book 177, already delivered in, the following Extract of a Letter from Mr. Haſtings to the Court of Directors, dated 25th March 1775.

" Honourable Sirs,

" I have the Honour to ſend you a Triplicate of my Addreſs of the 10th of January, a Duplicate of my laſt, and Obſervations on the Minutes ſent by the Gentlemen of the Majority to your Honourable Court, with the laſt Diſpatches.

" The various and accumulated Attacks which have been made upon me by my Adverſaries exceed my Abilities, and the narrow Compaſs of my Time, to repell them by that circumſtantial Mode of Defence which I have made Uſe of in my former Addreſſes.

" I beg Leave to recall to your Attention the original Points of Controverſy which formed the Subjects of our Firſt Appeals. Theſe were, on their Part, a Condemnation of the Rohilla War, a Juſtification of their Reſolutions for the Recall of the Brigade, and the Diſmiſſion of my publick Agent from his Appointment at the Court of the Vizier Sujah Dowla; and on mine, a Vindication of that War, and a Proteſtation againſt their Reſolutions.

" Not truſting to their Strength on this Ground, they ſhifted the Scene to the Treaty of Benaris, which they endeavoured to decry, and I have defended.

" Their next Attack was on the Management of your Collections and Finances. Thoſe were repreſented as in a State of irretrievable Ruin, and theſe exhauſted; with what Truth you will judge from Facts, which ſuperſede all Argument.

" On all theſe Points I have fully replied; and it reſts with you to determine on the Juſtice of their Accuſations and my Defence. Neither my Judgement nor my Conſcience will allow me for a Moment to fear for the Iſſue of your Deciſion.

" To this Period the Conteſts between the Majority and me were confined to Subjects of a public Nature, although my Conduct and Character, my Credit at Home, and my Influence here, were the ultimate Objects of them. Perhaps even theſe Retroſpections were foreign from the Deſign of the Legiſlature in the Conſtitution of this new Government, inveſted with ſuch extended Powers, and a Charge of ſuch vaſt Importance to the Britiſh State. I have long ago, in my Letter to the Honourable Court of Directors, dated 11th November 1773, offered to you my Opinion of their Effects, at a Time when it was impoſſible for me to foreſee the preſent Occaſion for the Application of it.

" The firſt Acts of the Majority manifeſtly ſhew, that their Aim was either by continual Provocations to induce me to throw up my Seat, and leave them the ſole uncontrolled Maſters of this valuable State, or by annihilating my preſent Influence, to render me a Cypher in it; and, by miſrepreſenting the Meaſures of my former Adminiſtration as univerſally tending, and even ſyſtematically calculated for the Ruin of your Intereſts, and the national Honour, in this Country, to effect my Removal by a ſuperior and legal Authority.

" The ruling Principle and Spring of all their Actions is fairly but rather unguardedly explained in their firſt Letter of Appeal, in the Declaration, " That the Juſtification of their Conduct muſt of Neceſſity carry with it, and could only be ſupported by a ſtrong and deliberate Cenſure of the preceding Adminiſtration." I have admitted the Truth of this Propoſition, in the Application of it, to ſuch of their Meaſures as are directly contradictory of * thoſe of the preceding Adminiſtration, but I will not allow it to be either juſt or fair, applied to Meaſures with which theſe have no Relation; but it is a powerful, though trite, Policy, to which the unthinking Part of the World have too often been the Dupes; to ſuch let them addreſs themſelves; I truſt that my Cauſe will be decided by other Judges.

* Sic in Orig.

" The ſubſequent Tranſactions have not even the Pretext of a public Object, but are directly and openly levelled at myſelf. The Ground is popular, and calculated to the Temper of the Times; and whatever be the Iſſue of them, there are Thouſands on whom the bare Allegations will fix an indelible Impreſſion.

" On the 10th inſtant an Engliſh Letter, containing Engliſh Accounts, was brought to the Board, in the Name of the Ranny of Burdwan, by a Servant of Mr. Joſeph Fowke, charging me perſonally with having received the Sum of 15,000 Rupees as a Preſent from Dewan Bridjoo Kiſhore Roy.

" On the next Day a weightier Charge was delivered to the Board, in the public Department, through the Hands of Mr. Francis, from Maha Raja Nundcomar, of various Preſents having been received by me, which, on the moſt probable Eſtimation of the indefinite Sums, added to thoſe which are particularly ſpecified, muſt have amounted to many Millions of Rupees.

" The Proceedings of the Board, and of the Majority continued by their own Authority, on thoſe Accuſations, will be found at large in the Conſultations of the 10th, 11th, 14th, and 17th inſtant, in the Revenue Department, and of the 11th, 13th, and 20th, in the Public Department. I beg Leave to refer to theſe Records, as I think it neceſſary that you ſhould have the moſt complete as well as the moſt authentic Information of the Subject.

" Thoſe relating to the Allegations of Raja Nundcomar have been committed to the Hands of your Attorney, for the Purpoſe of commencing a Suit at Law againſt me, in the Name of the Company, for the Recovery of the Sums ſaid to have been received by me from Munny Begum in the Year 1772; I reſerve my Defence for the ſame Channel, not chuſing to give my Adverſaries an Advantage by anticipating it, nor to beſpeak your premature Judgment on a Cauſe thus depending. I do not mean to reſtrict myſelf ſolely to this Mode of Defence; let the Law have

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its Effect, and I am willing, and I ſhall be proud to ſubmit all my Tranſactions, of what Nature ſoever, to your Juſtice, in any Way or Form which you ſhall preſcribe. In the mean Time, I beg that you will ſuſpend your Opinion upon my Conduct, except in thoſe Parts of it on which you have complete Materials to decide, and in which your earlieſt Deciſion is required; in this Deciſion the Conduct of my Opponents muſt neceſſarily be involved.

" A combined and declared Majority of the Council have ſtood forth as any Accuſers; I appeal for the Truth of this Aſſertion to the whole Tenor of their Conduct ſince their Arrival in this Country, and to the undoubted Evidences which appear on the publick Records of the laſt Fifteen Days Conſultations, that theſe Gentlemen are themſelves Parties if not the Principals, as, in my Heart, I believe them to be, and ſuch the World eſteems them; and the Ranny of Burdwan and Raja Nundcomar little more than Inſtruments and oſtenſible Agents in the Accuſations preferred by them againſt me.

" Whether conſidered as my Accuſers, or as joint Members of the Adminiſtration, I diſclaim their Right to erect themſelves into a Tribunal to try my Conduct; nor ſhould any Conſideration prevail upon me to ſubject myſelf to ſuch a State of Humiliation.

" As little do I judge it conſiſtent with my own Honour or your Intereſt to ſuffer the Firſt Member of this State to be perſonally arraigned at the Council Board, and expoſed to the Inſolence and Calumnies of a Miſcreant like Nundcomar. Had the Majority been diſpoſed to accept of my Propoſition of appointing a Committee for proſecuting their Enquiries, either into theſe or the Ranny's Allegations, they might have obtained the ſame Knowledge and all the Satisfaction in this Way that they could have expected from an Inquiſition taken by the Board at large; their Proceedings would have had the Appearance, at leaſt, of Regularity, and my Credit would have been leſs affected by them. The only Point which they could poſſibly gain by perſiſting in bringing ſuch a Subject before the Board, was to gain a publick Triumph over me, and to expoſe my Place and Perſon to Inſult.

" Reduced to this Extremity, and ſupported only by a ſingle Member of the Board, whoſe Behaviour and Reaſonings on this Occaſion will I truſt do him Honour in your Eyes, although they availed but little againſt a precombined Reſolution, I had no Alternative left but to yield to the Indignities offered me, or to make uſe of the Authority which the ancient and unrepealed Conſtitution of your Service has veſted in the Preſident of your Council, to declare the Meeting diſſolved. My Declaration had no Effect with them, nor did I expect it would; it reſts with you to determine whether in the Inſtance I uſurped, (or to ſpeak more properly aſſerted) a Privilege to which I had no lawful Claim, or whether I am juſtified by the ancient and invariable Practice of the Service, and by the Neceſſity of the Caſe, in that Reſolution. This Point was debated and fully diſcuſed in the next Day's Conſultation at the Revenue Board, and of Courſe determined by the Majority in favour of the Practice which they had already begun. I cannot add any Argument to thoſe which appear in my Minutes upon this Queſtion to prove the Legality of my Claim: I truſt they will be found concluſive in point of Fact, and am confident that the Reaſonableneſs of this Power, and its Neceſſity in various Caſes, will not eſcape your Penetration: Without it a prevailing Faction in the Council might have it in their Power at any Time to ſteal in and obtrude Buſineſs on the Board, for which the other Members were unprepared, and they would have Opportunities of impoſing ſuch Indignities upon their Preſident, as he could only avert by a Reſignation of his Office and of the Service. In ſuch Caſes the only Remedy ſeems to be, that the Power which ſummoned the Meeting ſhould diſſolve it, and this ſurely could not be more properly exerciſed than in the preſent Inſtance, when not only new Matter was attempted to be introduced foreign from the declared Purpoſe of calling the Meeting, but even a perſonal Indignity and wanton Triumph over my Weakneſs in the Adminiſtration were prepared for me.

" My Adverſaries will doubtleſs alledge, that whatever was the Conſtitution formerly in this Reſpect, ſuch a Privilege does not now exiſt. I have carefully examined this Point; I find no Alteration expreſſed in the Act of Parliament in reſpect to the Powers of the internal Conſtitution of the Council, except One ſingle Point, namely, that in the old Council the Firſt Member was ſtyled Preſident, a Title ſpecifically including him in the Number of the Council, and aſſigning him only the Firſt Seat in it; and in the new Eſtabliſhment he is dignified by a higher and excluſive Title, and, in a Manner, ſeparated from the other Members. How far the Wiſdom of the Legiſlature meant by this Diſtinction to extend the Privileges of the Chief of this Government is not for me at preſent to enquire; but ſurely it is concluſive as to their Intention of neither diminiſhing nor abrogating the inherent Rights of the former Chiefs, unleſs ſpecially taken away by other Clauſes of the Act. Beſides, I even find in the Act itſelf, a poſitive Declaration that the Rights of the Governor General and Council ſhall remain to them in like Manner, to all Intents and Purpoſes, as they were at any Time before exerciſed by the Preſident and Councils. I may err in this Conſtruction, and ſuffer a Subject, too nearly allied to my Feelings, to impoſe on my Judgement; but I am confident, whatever may be the Opinion as to the Right, that with you, Gentlemen, and with all wiſe and moderate Men, nothing will juſtify the Intemperance of my Opponents, who compelled me, by every Circumſtance of uſeleſs and indecent Provocation, to fly to ſuch an Expedient as the only Means of ſaving me from perſonal Inſult.

" You will obſerve the Attempts that have been repeatedly made by the Majority to compel the Attendance of my Two principal Servants before them. In this Inſtance alſo I preſume to affirm,

affirm, that they acted without a Precedent, and without any legal Authority. To thoſe who know the Cuſtom and Manners of the Country, this will be conſidered as an Outrage offered directly to myſelf, and, whatever Colour may be given to it, I believe there is not a Man in this Place that looks upon it as intended for any other Purpoſe; if it were poſſible to aſcribe it to any other, the Behaviour of General Clavering at the public Council Board on the 20th would have put it beyond the Poſſibility of a Doubt.

" Again, I beg Leave to refer you to the Peruſal of the Conſultations upon theſe Subjects, of which I wiſh that not a ſingle Word ſhould eſcape your Obſervation.

" Although I have declined entering, at this Time and Place, into a Refutation of the Accuſations which have been preferred againſt me, in the Names of Nundcomar and the Ranny of Burdwan, yet I do not think it proper to paſs them wholly unnoticed.

" You are well informed of the Reaſons which firſt induced me to give any Share of my Confidence to Nundcomar, with whoſe Character I was acquainted by an Experience of many Years. The Means which he himſelf took to acquire it were peculiar to himſelf. He ſent a Meſſenger to me at Madraſs, on the firſt News of my Appointment to this Preſidency, with pretended Letters from Munny Begum and the Nabob Yeterâm o'Dowla, the Brother of the Nabob Jaffier Ally Cawn, filled with bitter Invectives againſt Mahomed Reza Cawn, and of as warm Recommendations, as I recollect, of Nundcomar. I have been ſince informed by the Begum, that the Letter which bore her Seal was a complete Forgery; and that ſhe was totally unacquainted with the Uſe which had been made of her Name till informed of it by Juggut Chund, Nundcomar's Son-in-law, who was ſent to her, expreſsly to intreat her not to divulge it. Mr. Middleton, whom ſhe conſulted on the Occaſion, can atteſt the Truth of this Story. I have not yet had the Curioſity to enquire of the Nabob Yeterâm o'Dowla, whether his Letter was of the ſame Stamp, but I cannot doubt it.

" The Promiſe, which he ſays I made him, that he ſhould be conſtituted Aumeen, that is, Inquiſitor General over the whole Country, and that I would delegate to him my whole Power and Influence, is ſomething more than a negative Falſehood. He did Once or Twice intimate to me a Wiſh of the Kind, but with ſo little Succeſs that, for a while, he wholly dropt it. On Mr. Reed's Return from the Coaſt, where he had been on Leave of Abſence, Nundcomar made his Application to him for the ſame Employment, hoping through his Influence to obtain it. Mr. Reed, deceived by his Suggeſtions, brought the Propoſition before the Board, and ſupported it with Warmth; but it was rejected. The Manner in which this Matter was then introduced, contains ſtriking Proofs of the incendiary Character of the Man; and the Proceedings will ſhew the Grounds on which the Propoſition was rejected.

Vide Conſultation 13th Feb. 1773.

" For the Enquiries which were made into the Conduct of Mahomed Reza Cawn and Raja Shitabrôy, I beg Leave to refer to the Proceedings themſelves, in which every Voucher and every Evidence that I could obtain from Nundcomar are recorded at length, and you will yourſelves be the beſt Judges of the Diligence which was exerted by me in the Proſecution of them. Mahomed Reza Cawn, who was brought to Trial by your expreſs Commands on formal Charges exhibited againſt him, was confined under a Guard of Sepoys, from April 1772 to June 1773. Shitabrôy, although there had not been any expreſs Commands received from you concerning him, was in like Manner confined from May 1772 to June 1773; and the moſt public Notice was given with reſpect to both, that every Complaint againſt them would be heard and ſtrictly tried.

" The Reaſons for appointing a native Officer at the Head of the Khalſa, and the particular Reaſons which induced the Committee to make Choice of the Son of Raja Doolubram for that Office, appear on the Records of that Time.

" I recollect an Information given me by Nundcomar, concerning the pretended Uſurpations made by the Rajah of Benares of the Purgunnahs of Keera, Mungrora, and Bedjygur, on the Province of Bahar, but at a much more diſtant Period of Time than Nundcomar has aſſerted; I do not recollect his mentioning it again when I ſet out for Benares, neither did I ever intimate the Subject either to Cheyt Sing or his Miniſters, becauſe I knew I could not ſupport the Claim, and to have made it and dropped it would have been in every Senſe diſhonourable. Not that I paſſed by it with Indifference or Inattention; I took Pains to inveſtigate the Foundation of this Title, and recommended it to the particular Enquiry of Mr. Vanſittart, who was the Chief of Patna at the Time in which I received the Firſt Intimation of it. The following Letter and Voucher, which I received from him, contain a complete State of this pretended Uſurpation.

' Extract of a Letter from George Vanſittart Eſquire, Chief at Patna, to the Governor, dated the 25th September 1772.

" When I was at Moorſhedabad you mentioned a Report of a Pergunnah's having been alienated from this Province, and given by Shitabrôy to Raja Bulwant Sing.—I aſked you, If you meant Bejugur or Chouſa. You ſaid, No. Neither of theſe was the Name. That the Place you meant was ſomewhere in the Neighbourhood of Rotas.—Since my Return hither I have been making particular Enquiry, and I imagine Mungrore muſt be the Pergunnah you ſpoke of, but it is not in the Neighbourhood of Rotas: It belongs properly to Shawbad, and is ſituated not far from Banaris.

Banaris. It paid its Revenue to this Province till 1085, or 1677. In 1086 it was all given away to Jagheedars, and the Bahar Government has never ſince received a Rupee from it. About Eight Years ago Meer Jaffier made a Preſent of it to Bulwant Sing, to whom it was confirmed by Lord Clive and * Carnac; and he afterwards procured Sunnuds, as an Altumgau, from the King and the Vizier.—Incloſed are Copies of theſe ſeveral Papers.

* Sic in Orig.

" Memorandum of a Sunnud and Firmaun, from the beginning of the Month Shâbaan, in the Eighth Year of the Reign of the King Shaw Allum.

" The Sum of 16,80,083 Daums on the whole Pergunnah of Mungrore in the Sircar of Shâhabâd in the Subah of Bahar, the Revenues of which amount to 50,000 Rupees and upwards, is granted, agreeably to the Zimmum, from the latter End of Rubby ul Owel, as a free and unconditional Gift to Rajah Bulwant Sing, and to his Heirs, without the Aſſociation of any other Perſon, and with an Exemption from the Payment of all Cuſtoms.

" The Contents of the Zinnum.

" The Whole of the Pergunnah of Mungrore, in the Sircar of Shâhabâd, in the Subah of Bahar, is granted as a free and unconditional Gift to Raja Bulwant Sing and his Heirs; Tanca 16,80,083 Daums, Jumma of the Pergunnah 50,000 Rupees and upwards.

" Copy of a Perwannah under the Seal of the Vizier ul Mulk Sujah ul Dowlah Bahadre Sufdur Jung, from the 29th of Shâbaan in the 8th Year of the Reign of his Majeſty Sha Allum, agreeably to the above illuſtrious Firmaun of the 15th of Shâbaan, in the 8th Year of the Reign, the Sum of 16,80,083 Daums on the whole Pergunnah of Mungrora, the Revenue of which amounts to 50,000 Rupees and upwards, with an Exemption from the Payment of all Duties from the Middle of Rubby ul Owel, agreeably to Zimman, is granted as a free and unconditional Gift to Raja Bulbant Sing Bahadre, and to his Heirs.

" Contents of the Zimmum.

" The Tunca, as a free Gift and Donation to Rajah Bulwant Sing, on the whole Purgunnah of Mungrore, in the Sircar of Shahabad, in the Subah of Bahar, 16,83,083 Daums; the Revenue of the ſaid Purgunnah 50,000 Rupees.

" Copy of a Sunnud from Meer Mahomed Jaffier Cawn Bahadre, written the 20th of Rujjub, in the 5th Year of the Reign of His Majeſty Shah Allum.

" In Conſideration of the Attachment and Services of the High and Mighty Raja Bulwant Sing Bahadre, the Revenue of 16,80,083 Daums in the Pergunnah of Mungrore, with the Phouſdarry and other Duties uſually paid to Government, are remitted to him, and given for his own Emolument, that he may be always ready to protect that Quarter. Dated as above.

" Copy of the Treaty under the Seals of the Nabob Sabut Jung (Lord Clive) and General Carnac Bahadre.

" In the Fifth Article of the Treaty between the Nabob Sujah ul Dowlah and the Nabob Nudjum ul Dowlah Bahadre, Nizam of the Soubah of Bengal and Bahar, and the Engliſh Company, which was acceded to by His Sacred Majeſty, and ſigned and ſealed by the reſpective Parties, the Affair of Rajah Bulwant Sing is mentioned as follows:

" Article the 5th. Rajah Bulwant Sing ſhall be eſtabliſhed and continued in the Zemindarries of Benaris, Gauzipore, and alſo the other Diſtricts which he poſſeſſed at the Time he entered into Alliance with the Nabob Meer Jaffier Khan Bahadre and the Engliſh, upon Condition of his paying the ſame Revenues as heretofore.

" Memorandum of Particulars relating to the Pergunnah of Mungrore, extracted from the Records.

" From the Records of the Year 1085, it was annexed to the Khalſa Shereefa. In the Year 1086 'till the Year 1136 Fuſſelly, the Whole of the Purgunna was relinquiſhed to Jagheedars.

" In the Year 1140 Three Lacks and 5,000 Daums reverted in Charge to the Nizamut, and remained as a Depoſit till the Year 1142, and were annexed to the Caboleat of Shâhabad; the remaining Sums continued under the Jaghedars.

" From the Year 1143 Fuſſelly to the Year 1170, the Records of the Whole of this Purgunnah were re-annexed to the Nizamut.

" From the Year 1171 Fuſſelly, in the Records of the Nizamut, it was conſidered as ſeparated from the Authority of the Nizamut. It appeared that Rajah Bulwant Sing had obtained a Sunnud for the whole Purgunnah as an unconditional Gift, and was in Poſſeſſion of it. The Sunnud is not in the Records.

" A true Tranſlation.

" (Signed) J. H. D'Oyly,
A. Pº. Tr."

" The Reaſons which prevailed on the late Board to grant the Purgunnah of Bahbund to Cantoo Baboo my Servant, will appear in the Conſultations of the 12th and 19th of July 1774, in the Revenue Department; to thoſe I refer. You will find that this is not a Part of the Zemindarry of Ranny Bowanny, nor ever in her Poſſeſſion, but a Mahl or Diſtrict depending immediately on Government, and lying on the Frontier of the Province; that no Kind of Indulgence was ſhewn to my Servant in this Grant, but an Advantage provided for Government by the Peſhkuſh, or Fine to be paid, and by the Security which the Collections of it would naturally derive from being in the Charge of a Man of Buſineſs and Property.

" The Sunnud was never granted, though ready drawn up, and in my Poſſeſſion, from the Time of the Order of Councils, nor of Courſe the Peſhkuſh paid, becauſe I choſe to defer the Confirmation of it till the Aſſembly of the new Council.

" The Majority, in their ſeparate Meeting of the 17th inſtant, have thought proper to deprive Cantoo Baboo of this Grant, for Reaſons which they are yet to ſeek. One, indeed, they have aſſigned; namely, that the Perſon in whoſe Name it was granted was deſcribed as a Man of Credit and Property, but proved, on Enquiry, to be a Boy of Ten Years of Age. You, Gentlemen, need not be told, that it is the conſtant Practice of the Gentoos to regiſter all Deeds and Contracts, and apply for all Grants in the Names of their Sons: Locknaut Nundee, the nominal Zemindar, is the Son of Cantoo Baboo, whom the Board intended by the above Deſcription.

" As to the Charge of withholding from Nundcomar a Palakeen which he lays Claim to, I am aſhamed to reply to ſo futile an Accuſation. The Encloſure, N° 2, delivered to me by Mudgelis Roy, the Vakeel of Rajah Shitabrôy, contains all that I know of this Affair; except that the Palakeen is in my Poſſeſſion, as I am told, for I have never ſeen it.

" The Appointment of Munny Begum to the Management of the Nabob's Houſehold, and of Rajah Goordaſs, and the other Relations and Dependants of Nundcomar to the Dewanny and ſubſidiary Offices of the Nizamut and Behla, took Place in the Month of Auguſt 1772. My Motives in theſe Arrangements have been already fully explained to you in the Minutes of the Committee of Circuit, and the General Letters of that Year, and in my Addreſs to your Secret Committee, dated the Firſt September.

" I believe there is ſcarce a Man in Bengal who does not now commend my Choice of Munny Begum for the Truſt aſſigned her. I believe there were few to whom the Diſtinction which was ſhewn by me on that Occaſion to the Family of Nundcomar, did not afford Matter of much Aſtoniſhment, as his Character was known to all, and my Opinion of it to all who knew me.

" You have been pleaſed to honour me with your Approbation of every Part of this Tranſaction.

" Foiled in all their repeated Attacks upon me, my Adverſaries have Recourſe to the Charge of Rapacity; a Charge of all others the moſt foreign from my Nature. I do not aſſert this on the empty Credit of Self-Preſumption; neither my general Character, Circumſtances, nor Conduct in Life, before my Appointment to this Government, are unknown to many of your Honourable Court; and a ſlight Review of my Meaſures ſince that Period, will manifeſt how little they have been guided by an Attention to my private Intereſt.

" I beg Leave in this Place to make one ſhort Obſervation upon the Right claimed and exerciſed by the Gentlemen of the Majority to examine Perſons before them on Oath, even in Accuſations againſt the Parties themſelves. This you will find to have been practiſed with Bridjoo Kiſſore, in their Proceedings held after my Departure, on the 14th inſtant, in the Revenue Council Chamber; and on the 17th inſtant Sentence was formally paſſed againſt him by the ſame Gentlemen, expreſsly grounded on his Anſwers to the Queſtions which had been propoſed to him. Thus to extort from a Man Evidence againſt himſelf, is ſo directly contradictory of the fundamental Principles of Juſtice, that it requires no Comment. Several other Perſons alſo were examined by them on the 14th, and put to their Oaths; a Meaſure which has an immediate Tendency to the Subverſion of Juſtice. The Inhabitants of this Country, from the Nature of their Education, from the Form of their own Government, and from the Timidity of their Diſpoſitions, are equally incapable of bearing up againſt the Frowns of Power, and of reſiſting the Allurements attendant upon it. Thus called before a ſettled Majority, the Violence of whoſe Meaſures has filled the Country with Alarm, they will naturally give Evidence as Nundcomar may have told them is expected; and having once done ſo, they are tied down to ſupport it, whether true or falſe, when legally ſummoned before the Supreme Court of Judicature.

" I have the Honour to be,
with the greateſt Reſpect,
Honourable Sirs,
Your moſt faithful
and obedient humble Servant,
Warren Haſtings." (a)

Fort William,
the 25th March 1775.

(a) Vide Appendix, N° CVI.

Read,

Read, from Book 10 already delivered in, the following Extract of a General Letter from the Governor General and Council to the Court of Directors, dated at Fort William, the 24th March 1775.

Par. 16. " On the 11th inſtant a Letter was delivered in to the Board from Maha Rajah Nundcomar, wherein he charges the Governor General with ſundry Malverſations, in the Courſe of his Adminiſtration as Preſident of the late Government, and with having received ſeveral Sums of Money from Munny Begum, and from himſelf, for Favours beſtowed on them through his Influence. A Copy of this Charge was ordered to be delivered to the Governor General immediately.

17. " A few Days afterwards Rajah Nundcomar addreſſed the Board for Permiſſion to appear before them to make good his Charge, which was objected to by the Governor and Mr. Barwell. The Debates on this Point will be ſeen at Length on the Conſultations. It was reſolved by the Majority that he ſhould be called in, and on this Reſolution the Governor General declared he diſſolved the Council, and withdrew; Mr. Barwell followed him; a Vote was then paſſed, that General Clavering ſhould take the Chair.

18. " As we look upon this Point to be of the moſt ſerious and important Conſequence, we intreat your moſt attentive Peruſal of the Debates upon it, and that you would favour us with your Deciſion as ſpeedily as poſſible on the Subject. Where our Opinions are ſo wide, and the Council ſo nearly divided as to Number, we think it neceſſary to adhere ſtrictly to the Line we laid down at firſt for our General Letters to mention the Facts ſimply, referring you altogether to the Conſultations for the Arguments on each Side.

19. " For the more Certainty of conveying to you the Intelligence of this Tranſaction, we have reſolved to diſpatch a Letter expreſs over Land on that Subject only, and requeſting your Deciſion upon it.

20. " On the Governor General's withdrawing, Rajah Nundcomar was called in before the Three remaining Members, then conſtituting the Board, and examined on the Subject of his Letter. He gave a poſitive Declaration as to the Sums which he had himſelf paid to the Governor General, and gave in the Names of ſeveral Perſons, who, he ſaid, were privy to the Tranſactions; he alſo delivered in a Letter addreſſed to him under the Seal of Munny Begum, expreſſing the Circumſtance of the Governor's having received Two Lacks of Rupees from her. It was thought neceſſary to authenticate the Seal and Letter, by comparing them with others from the ſame Perſon, in Preſence of the Perſian Tranſlator and his Moonſhee, who declared the Seal to be that of Munny Begum. On this Evidence, the Board called on the Governor to refund the Sums he had ſo acquired, and pay them into the Company's Caſh. The Secretary was accordingly ordered to wait upon him with their Demand, to which the Governor, declining to acknowledge the Authority of the Board then ſitting, refuſed to give an Anſwer.

21. " It is fit to mention, that the Board had before ſent the Secretary to wait on the Governor General with their moſt reſpectful Compliments, to acquaint him that Nundcomar had withdrawn, and to requeſt that he would return and reſume the Chair; but to this the Governor General replied, that having diſſolved the Council, he could not acknowledge the Gentlemen then ſitting in that Capacity, and that it was too late to ſummon a new Council for that Night.

22. " The Board had alſo thought it neceſſary to require the Attendance of Cantoo Baboo, the Governor's Banyan, who, as Nundcomar on his Examination informed the Board, had applied to him, in the Name of the Begum, for the Original, or a Copy of her Letter, in order to aſcertain that Fact; but Cantoo Baboo refuſed to obey the Summons, alledging that the Governor detained him, and that he would attend when the Council ſhould be complete. The Governor General has ſince avowed his Orders to Cantoo Baboo not to obey the Summons, and Cantoo Baboo, who has ſince appeared before the Board, has been deemed guilty of great Indignity to their Authority, and it is yet in Deliberation what Puniſhment ſhall be inflicted on him for the Contempt.

23. " We have ſent a Copy of the whole Evidence delivered in by Nundcomar to our Attorney at Law, that he may take the Advice of Counſel, in what Manner it will be moſt proper to proceed for the Recovery of the Sums ſpecified from the Governor General for the Company's Uſe.

" Signed (at the End)
Warren Haſtings,
J. Clavering,
Geo. Monſon,
Rich^d. Barwell,
P. Francis."

The Managers for the Commons ſtated, That they offered the Letter laſt read as new Ground to introduce the Proceedings of the 13th of March 1775, after Mr. Haſtings left the Council.

The Houſe informed the Managers for the Commons, that the Letter carried the Matter no further than before.

Read,

Read, from Book 7, already delivered in, the following Extract of a Conſultation of the 3d of April 1775, beginning at Page 1658 of the ſame Book.

" Fort William, the 3d April 1775.

Secret Dept. Monday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

☞ [" The next Day, being the 14th, the Council being aſſembled in the Revenue Department, a like Motion with that of the preceding Day was made by General Clavering, that Bridjoo Kiſſore Roy and Roopnarain Chowdry, who was the principal Agent in the Accuſation preferred by the Ranny of Burdwan, ſhould be called before the Board, for the like Purpoſe of enquiring into thoſe Accuſations. I objected in like Manner; and repeated my Propoſition that a Committee ſhould be formed for theſe Enquiries, but without Effect. I again declared the Meeting diſſolved, and left them. Mr. Barwell did the ſame.

" On the 17th a Council was ſummoned at their Requeſt, for ſpecial Purpoſes expreſſed in their Requiſition. I met them. Mr. Barwell did not attend.

" Inſtead of proceeding to the Buſineſs for which they had been expreſsly aſſembled, a Motion was immediately made by General Clavering, and ſupported by the other Members, that Cantoo Baboo and Kiſhen Chattije, my principal Servants, ſhould be called before them, for the Purpoſes of queſtioning them concerning a ſuppoſed Contempt ſhewn to the Authority of the Board, in having refuſed to obey the like Summons ſent to them by the Majority in their preceding Meetings held after my Declaration of their Diſſolution, and of ſupporting the Authority of the Board. As I had Cauſe, from the Terms of the Motion, from the Violence of their former Proceedings, and from their Refuſal to give me the Aſſurance, which I demanded of them, of the perſonal Safety of my Servants, if they appeared before them, to apprehend ſome diſgraceful Treatment of theſe Men, which in the Eyes of the People of this Country would have been equal to the greateſt Perſonal Indignity offered to myſelf, I, after repeated Remonſtrances, again proceeded to the laſt, but ineffectual Reſource which was left me, and a third Time declared them diſſolved.]

(" How far I was juſtified in my Suſpicion of the Violence which might be intended to be offered to the Perſons of my Servants, will beſt appear from a Motion which was actually made by General Clavering at the Public Council Board, on the 20th inſtant, to inflict a Puniſhment on my Servant Cantoo Baboo, to which none but the meaneſt of the People were ever ſentenced, that he ſhould be put into the common Stocks.")

" Signed, at the End of the Minute,
Warren Haſtings.

" And at the End of the Conſultation,
Warren Haſtings,
J. Clavering,
Geo. Monſon,
R. Barwell,
P. Francis." (*a*)

To prove that Mr. Haſtings was not at any Time required to be preſent at the Enquiry into his Conduct relative to the Receipt of Three Lacks and a Half of Rupees, but was left to his own Option to be preſent or not on that Occaſion,

Read, from Book 210, already delivered in, the following Extract of a Conſultation of the 14th of March 1775, beginning at Page 1044 of the ſame Book.

" Fort William, the 14th March 1775.

Rev. Dept. Tueſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General Clavering,
The Honourable Geo. Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

§ (" General Clavering,

General Clavering's Motion.

" I move that Roopnarain Chowdry may be called in; and that Bridjoo Kiſſore, if he is not here, may be ſent for; and that they may be brought Face to Face in Council to produce the Ac-

(*a*) Vide Appendix, N° CXIV.

" count

" count mentioned in the Ranny's Letter of the 10th inſtant, in order to have the Account " N°. 3, authenticated.

" Governor General.—I beg Leave to remark before the Queſtion is put, that the Ranny has " declared that ſhe had the Paper now called for ready to be ſent to the Board whenever it ſhould be " required; the Selection of the Paper N°. 3, from the reſt of the Papers tranſmitted by the Ranny, " appears to me in the ſame Light with the other Motions lately made of impoſing a perſonal In- " dignity on me: This being the Paper which is directly levelled at myſelf, I have already propoſed " to the Board to conduct Enquiries of this Kind in Committee. It will anſwer the ſame " Effect; and to inſiſt on my being preſent, can only ſerve the Purpoſe of inſulting me, and of " rendering my Authority ſtill weaker and more contemptible in the Eyes of the People than " they have already done it. I have already declared that I will not ſubmit my Conduct to " your Judgement; I have aleady declared that I regard you as Parties in my Accuſation, and " therefore unfit to be my Judges; and I now declare that on every Occaſion in which you ſhall " think proper to reduce me to ſuch a Neceſſity, I will break up the Council. If you ſhall think " proper to carry on any joint Proceedings by an Authority of your own, I cannot prevent it, " but I proteſt againſt it.")§ ☞[I muſt further beg Leave to remark a great Irregularity in the Queſtion. The Ranny has deſired that Roopnarrain Chowdry and Bridjoo Kiſſore may be brought Face to Face before Council, and ſhe ſays it will then be ſeen if Bridjoo Kiſſore will deny his own Hand-writing. By this I ſhould underſtand it to be her Intention that all the Accounts ſhould be ſhewn to Bridjoo Kiſſore for his Acknowledgement; but the General has added to a Requeſt of the Ranny a Propoſition of his own as the Propoſition of the Ranny, but which is neither expreſſed or implied in her Requeſt.

Governor General's Obſervation on the Queſtion being put.

" General Clavering.—The Account containing the ſeveral Sums alledged in it to have been given by Bridjoo Kiſſore to the Governor Mr. Haſtings, and to the other Gentlemen in Council, is, as I underſtand, that original Account which the Governor General demanded the other Day, and from which the Engliſh Account is a Tranſlation. It appears to me abſolutely neceſſary for the Governor General's Honour, that this Account may be authenticated in the moſt exact and authentic Manner; and if it ſhall appear, as I hope it will, that the Account is a ſuppoſititious one, framed purpoſely to calumniate the Governor and the late Adminiſtration, I ſhall be the firſt to propoſe that all the Perſons who may be proved to have been the Authors of ſuch a Forgery, may receive every Puniſhment the Law can inflict upon them.

General's Remark.

" Governor General.—I am ſorry to repeat again, that the General does not underſtand the Queſtion I repeatedly put in ſo many Forms on Saturday. This cannot be the Account I demanded; the Papers I demanded were many: If this is amongſt them, let it be produced, I have no Objection to it; but this is not the Queſtion before the Board. The Queſtion is, Whether Bridjoo Kiſſore and Roopnarain Chowdry ſhall be brought Face to Face to authenticate the Accounts of the former.

Governor General's Remark.

" Mr. Francis begs Leave to put a Queſtion to the Board before General Clavering's Queſtion is reſolved on.—My Queſtion is, Whether this Board can legally be diſſolved or adjourned by the ſole Authority of the Preſident, againſt the Conſent of a Majority of the Members preſent?

Mr. Francis's Queſtion regarding the Authority of the Preſident in diſſolving the Council.

" Mr. Francis.—I think it cannot.

Mr. Francis's Opinion.

" Mr. Barwell.—It has ever been cuſtomary and uſual, and I find no expreſs Interdiction of the Uſages that have prevailed, either in the Company's Inſtructions, or the Letter or Spirit of the Act of Parliament. The Power of aſſembling the Council, I conceive, exiſts in the Chair: The Power of breaking it up of courſe, I underſtand, reſts in the ſame Station. I cannot poſſibly ſuppoſe that any Cauſe, but ſuch a perſonal one as may compel the Governor, through Neceſſity, will induce him to adjourn the Board; and, I think, when any ſuch Cauſe does prevail, the Buſineſs and Intereſt to which our Attention ſhould be directed, is departed from. The End propoſed from our aſſembling not being likely to be anſwered, the Governor General will ſtand fully acquitted for adjourning the Board. I do not ſpeak at all to the Powers under which the Members of this Board act, nor will I be led to paſs any Opinion upon them. Whenever the Intereſts of the Public require my particular Attention, I ſhall communicate thoſe Points to the Knowledge of the Governor General, who will take ſuch Meaſures, with the Concurrence of his Council, as he may think the Object merits. Without the Governor General's Authority in a public Call for my Attendance at the Board, it will be in my Option to partake or not in the Councils of the Three other Members. It is my Duty to communicate with them; but I ſhall deem all ſuch Communications as irregular and unwarranted, and ſhall therefore look upon them in a private Light, to be ſubſequently introduced in a more regular Form.

Mr. Barwell's Opinion.

" The Honorable Mr. Monſon.—I think the Governor-General may aſſemble the Council as often as he ſhall think proper, but that he muſt do it twice a Week, or at the Requiſition of a Majority of the Members. I do not apprehend the Diſſolution of the Board to be in the Governor General ſolely; the Queſtion of Adjournment ſhould be firſt put, and if carried, that Meeting is diſſolved; for if the Authority of ſummoning and diſſolving the Council was with the Governor-General only, his Power would be abſolute and deſpotick, and the Means of conveying Information to our Employers totally precluded.

Mr. Monſon's Opinion.

General Clavering's Opinion.

" General Clavering.—I agree with Colonel Monſon, for the Reaſons he has ſo properly urged.] ☞

§ Governor General's Opinion.

(" Governor-General.—I have already given my Opinion upon this Subject in my Anſwer to " the Queſtion propoſed by Mr. Francis, and in the Minutes of the Board in the other Depart- " ment of Yeſterday, and repeat it now, that the Board have no Authority unleſs ſummoned by " myſelf, or when the Meetings of the Board are formally diſſolved by me. Arguments drawn " from the Practice of other Aſſemblies cannot apply to this. In Inſtances in which other Aſſem- " blies are ſummoned for Buſineſs by any of their own Body, it is in conſequence of ſome poſi- " tive Law or eſtabliſhed Uſage. No ſuch Law or Uſage has ever prevailed in this Government. " A Majority of the Members of the Board have aſſerted a contrary Opinion; but I conceive it to " be uſeleſs to collect Opinions on a Subject of this Kind. The Majority may continue to ſit " by their own Authority, as they did before the Opinions were collected; I will not ſit with them, " nor acknowledge their Proceedings to be legal. Once more, however, let me repeat the Pro- " poſition which I have already made, that any Examinations which have my Conduct for their " Object, may be taken by a Committee of the Board. You may certainly obtain by this Means " all the Satisfaction which you can receive in a Meeting which I cannot acknowledge to be lawful, " and at which I cannot be preſent. If you have the Honor of your Preſident at Heart, which you " have repeatedly, and too repeatedly declared, at a Time in which you are wounding it in the " moſt eſſential Manner, you will acquieſce in this Propoſition; if you reject it, the Court of " Directors, and thoſe to whom theſe Tranſactions will be made known, may judge of your " Motives.") §

☞ Mr. Francis's Remark.

[" Mr. Francis.—I think it very neceſſary that the Court of Directors ſhould be informed, that no Member of this Board, to my Knowledge, has ever expreſſed a Wiſh, that the Governor-General ſhould be required to give his perſonal Attendance at the Board, in any Caſe in which it would be perſonally diſagreeable to himſelf to do ſo.

General's Queſtion repeated.

" The General's Queſtion being read again, Mr. Francis agrees to it.

Mr. Barwell's Opinion.

" Mr. Barwell.—As the Governor has Objections to Bridjoo Kiſſore and Roopnarain Chowdry being called before the Board, I think they ought not to be called; I ſee no particular Purpoſe that it will anſwer, as any Charges exhibited are in Writing, and the Party can reply to it in Writing. If it is merely for the Purpoſe of certifying a Paper, I think that Bridjoo Kiſſore may be called for to the Council Houſe, and the Secretary go to him in the adjoining Room, to aſk him the ſimple Queſtion, Whether the Paper is authentic?

" The Honourable Mr. Monſon, } are for the Queſtion.
" General Clavering, }

Governor General diſſolves the Council.

" Governor-General.—I am againſt it. I think it my Duty to declare, that I diſſolve the Meeting of this Board. If the Members continue to ſit, I ſhall not acknowledge their Proceedings to be legal.] ☞

(Signed at the End of the Conſultation)

J. Clavering,
Geo. Monſon,
P. Francis." (*a*)

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide Appendix, N° CXV.

Die Jovis, 28° Maii 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons ſtated, they ſhould now proceed to prove a Commiſſion given to Mr. Goring to go to Moorſhedabad, to enquire into Embezzlements made by the Munny Begum; in order to introduce which, they would firſt read a Debate that gave Riſe to the above Commiſſion, recorded on a Conſultation of the 9th of May 1775.

The Counſel for the Defendant objected to this Evidence, unleſs the Managers for the Commons would ſtate ſome Act of Demeanor on the Part of Mr. Haſtings to intitle them to produce it.

The Managers for the Commons ſtated, That the Circumſtances under which they offered this Evidence were; That Information having been laid before the Board, of Embezzlements by the Munny Begum to a conſiderable Amount, a Motion was made for an Enquiry into the ſame; in the Debate upon which Mr. Haſtings took Part. That the Reſult was, a Commiſſion to Mr. Goring to inſtitute ſuch Enquiry: That in the Courſe of it Circumſtances came out, fixing Mr. Haſtings with the Receipt of a Lack and a Half of Rupees; Information of which being tranſmitted to the Board, Mr. Haſtings acted upon it, by putting Queſtions to the Munny Begum relative to the Receipt of the above Sum.

Read, from Book 7, Page 2169, already delivered in, the following Extract of a Conſultation of the 9th of May 1775.

Fort William, the 9th May 1775.

Secret Dept. Tueſday.

At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Philip Francis Eſquire.
Mr. Barwell indiſpoſed.

" General Clavering.—I move, that a Gentleman of proper Rank in the Service be appointed to go to the City, to acquaint the Nabob and the Bhegum with this Information that has been given to the Board, and to demand of her an Order to the proper Officers to deliver over to him the Nizamut, the Bhela, and the Conſummanee Accounts, from the Middle of April, in the Year 1764, to the Middle of Auguſt 1772; and that the Intentions of Government, of inveſtigating theſe Accounts, may be effectually carried into Execution, that the Begum be diveſted of the Office of Guardian to the Nabob, that her Influence over the Officers of the Houſehold may not prevent them from giving true Evidence, when called upon for any Explanation of the above Accounts; and that he do alſo demand of her the Accounts from that Time to the laſt Day of the Year 1181, or the lateſt Period to which they can be cloſed.

" Mr. Francis.—The Charge againſt the Bhegum, in my Opinion, comes before the Board with a Degree of Authenticity ſufficient to warrant my agreeing to the Motion. The ſuppoſed Embezzlement is for a very conſiderable Sum; and with reſpect to the diſpoſſeſſing her of her Employment, I apprehend that it would be difficult, if not impoſſible, to obtain the neceſſary Lights from the Nabob's Officers to verify this or any other Charge againſt the Bhegum, while ſhe herſelf continued in full Power and Authority over the Houſhold.

" Colonel

" Colonel Monſon.—The Account now before the Board, bears thoſe Marks of Authenticity, which I think juſtifies me in requiring an Inveſtigation to be made into them. The ſuppoſed Embezzlement is for a conſiderable Sum; and I think there is a Poſſibility, by a minute Inſpection into theſe Accounts, to ſhew that the late Adminiſtration may have been impoſed upon in the Balances claimed by the Bhegum, at ſettling the Account in Auguſt 1772; I think it neceſſary that the Bhegum ſhould be diſplaced from her preſent Station, as the Influence ſhe would have by continuing in it, might prevent the Gentleman employed upon this Service from obtaining that Information which is neceſſary to aſcertain the Account.

" The Governor-General.—I ſee no Cauſe to enter into an Examination of the Bhegum's Accounts, and muſt diſagree with the Gentlemen of the Majority in their Opinion of the Authenticity of the Accounts produced by Mr. Grant and Nuned Roy; I ſee not the leaſt Marks of any Authenticity in them, but regard them as ſimple unſupported Aſſertions; and even granting that the Accounts were true, I do not ſee that they can prove any Miſmanagement in the Bhegum, unleſs further Proofs could alſo be obtained, that the Savings made in the Payments in the Houſehold were ſecreted for her own ſeparate Uſe, and not for that of the Nabob, her Ward. I am well informed, that in all Payments made to the Servants and Dependants, not only of the Nabob, but of all other Perſons of his Rank and Station, conſiderable Deductions are always made from the Sums nominally due. It does not appear of what Nature the Arrears are, with which the Bhegum is charged, nor whether they ariſe from the cuſtomary Deductions to which I have alluded; nor can I conceive the Bhegum, who has neither Children or Connections without the Walls of the Nabob's Palace, ſhould ſecrete and embezzle ſo great a Proportion of the Money entruſted to her Charge, for the Benefit of the Nabob; nevertheleſs, I ſhould not object to the Requiſition of her Accounts, if it went no farther, believing that the Iſſue of an Inveſtigation into them, if fairly made, will do her Credit: But I object, and ſolemnly proteſt, againſt the Removal of a Perſon of her Rank, Character, and Authority, from the Office which ſhe now holds, and her Appointment to which was confirmed by the moſt complete Approbation of the Court of Directors, without having committed any Crime, or done any Thing which could poſſibly be imputed to her as a Diſqualification.

" General Clavering.—If the Accounts which have been produced to this Board are authentic, of which there can be very little Doubt, ſeeing the Acknowledgment that was made of them by Akbar Ally Cawn, the Eunuch of the Houſehold, who has, I underſtand, the chief Management of her Affairs, and the Solicitude that both he and the Bhegum ſhewed to get the Accounts into her Hands, I think it is a ſufficient Ground for this Board to proceed on; for every Step that is propoſed to be taken, either for the Diſcovery of the fraudulent Statement that muſt have been made of the Nabob's Debts when his Accounts were ſettled, or of the Uſe which ſhe has ſince made of the Balances which ſhe muſt have received: In either Caſe it is neceſſary to diveſt her of her Authority; and if upon Examination of the Account it ſhall appear, as the Governor General ſuppoſes, that ſhe adminiſtered to the Nabob's Affairs with Integrity, I ſhall be as ready to reſtore her to her Office again, provided that it ſhall appear requiſite to do ſo hereafter; the Age and Circumſtances of the Nabob being conſidered.

" Mr. Francis.—I beg Leave to obſerve, that Mr. Grant was deſirous of confirming upon Oath, the Aſſertion he made to this Board concerning the Application made to him by the Bhegum's chief Eunuch, for the Recovery of the Papers. After what I have heard and ſeen of theſe Papers, I can form no Suppoſition of a Poſſibility of their being forged.

" Reſolved, That the Board agree to the Motion of General Clavering, for an Examination of the Accounts therein ſpecified, and for diveſting Munny Begum of the Office of Guardian to the Nabob, that this Examination may be made with the greater Certainty, by the Officers of the Nabob's Houſehold being unbiaſſed by the Influence ſhe muſt otherwiſe have.

" Mr. Francis.—I move that Mr. Goring be appointed to repair to the City, to execute the preceding Reſolution of the Board, and to deliver over the Accounts to Mr. Maxwell, Mr. Anderſon, and Mr. Grant; that theſe Gentlemen be appointed to examine them, and to report to the Board what Balance appears by thoſe Accounts to be due to the Nabob, or remains unaccounted for by the Bhegum, with ſuch other Obſervations as they may think material for the Information of the Board: That they be allowed ſuch a Number of Mohrirs as they may deem neceſſary to aſſiſt them in the Examination of the Accounts, and that Nuned Roy be appointed Chief of the Mohorirs.

" Governor General.—I object to the Deputation of Mr. Goring, not underſtanding what Purpoſe it can poſſibly anſwer.

" The Majority of the Board agree to the Motion of Mr. Francis.

" Colonel Monſon.—I move, that the Nabob's Perſon and Houſehold be delivered to the Care of the preſent Duan Rajah Goordaſs until further Orders.

" Mr. Francis.—I agree.

" General Clavering.—I agree.

" Governor General.—I both object, and proteſt againſt it.

" Reſolved, That Rajah Goordaſs be accordingly appointed Guardian to the Nabob's Perſon and Houſehold until further Orders.

" Ordered,

" Ordered, That Mr. Goring be directed to proceed immediately to Moorſhedabad, to execute the Commiſſion above allotted to him; he is therefore inſtructed as follows.

" Sir,

" I am directed by the Honourable the Governor General and Council to acquaint you that they have thought proper to depute you to the City of Moorſhedabad, to inform the Nabob and the Begum, that it has been repreſented to them, that the Sum of R^{s} 9,67,693 : 15 : 6¾ appears to be now due from the Begum, either to the Nabob, or to the Servants of the Nizamut; and that the Honourable Board have therefore directed you to demand of her an Order to the proper Officers to deliver over to you the Accounts of the Nizamut Bhela, and Conſummance, from the Middle of April in the Year 1764 to the Middle of Auguſt 1772, as well as the Accounts from that Time to the laſt Day of the Year 1181, or to the lateſt Period to which they can be cloſed.

" In order that the Intentions of Government of inveſtigating theſe Accounts may be effectually carried into Execution, the Board have been pleaſed to diveſt the Begum of the Office of Guardian to the Nabob, that her Influence over the Officers of the Houſehold may not prevent them from giving true Evidence, when called upon, for any Explanation of the above Accounts.

" Of this Reſolution of the Honourable Board you are to give Information to the Nabob, as well as the Begum, and acquaint the former, that the Care of his Perſon and Houſehold is to be delivered to the preſent Duan, Rajah Goordaſs, until further Orders; and you will accordingly ſee theſe Directions of the Board put into Execution.

" The Accounts you are to deliver over to Meſſ. Maxwell, Anderſon, and Grant, whom the Board have been pleaſed to appoint to inveſtigate them.

" I have further to enjoin you to proceed to the Execution of this Duty with all convenient Expedition.

" Signed, at the End of the Conſultation,

Warren Haſtings,
Geo. Monſon,
Richd Barwell,
P. Francis." (*a*)

"Read, from the ſame Book, Page 2287, the following Extract of a Conſultation of the 25th of May 1775.

" Fort William, the 25th May 1775.

Secret Dept. Thurſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" To the Honourable Warren Haſtings, Governor General, &c. Council, &c.

" Honourable Sir and Sirs,

" Encloſed I ſend you an Account of ſeveral Sums given by the Bhegum; it is under her Seal, and was delivered me by the Nabob in her Apartments.

I am, &c.

" May 22d 1775. (Signed) " C. Goring."

" P. S. The Bhegum has made herſelf anſwerable to the Nabob, for any Sums that may be due to him by Etwar Ally Khan, and the Nabob has thought proper to releaſe him from Confinement.

(Signed) " C. Goring."

" Memorandum of Diſburſements by Engliſh Gentlemen from the Nabob's Sircar, in the Bengal Year 1179.

Seal of Munny Bhegum, Mother of the Nabob Nudgeen Dowla deceaſed.

" To the Governor Mr. Haſtings for an Entertainment — —		1,50,000
" To Mr. Middleton on Account of an Agreement entered into by Baboo Begum		1,50,000
" Dated the 21ſt of Rubbee ul awel, or 22d of May."	Rupees	3,00,000

" Honourable Sir and Sirs,

" I am deſired by the Nabob and Raja Goordaſs to acquaint you that there is not a Rupee in his Treaſury, though he has Demands on him to a very conſiderable Amount.

" 22d May. (Signed) " C. Goring." (*b*)

(*a*) Vide Appendix, N° CXVI. (*b*) Vide ſupra, Appendix, N° CVII.

Read,

Read, alſo, from the ſame Book, Page 2293, and ſame Conſultation, the following Extract.

" The Governor General.—As the Commiſſion given to Mr. Goring was to receive from the Begum all the Accounts of the Nizamut for Eight Years paſt, and to deliver them into the Hands of Gentlemen appointed to examine and report their Contents to the Board, I deſire that Mr. Goring may be aſked, how he came by the Account he has now ſent in his firſt Letter of the 22d inſtant, in which Two Sums only are mentioned, and ſaid to be paid to myſelf and Mr. Middleton, and on what Account this partial Selection was made by him; and to deſire an Explanation from the Begum of the Sum laid to my Charge, and that he will aſk the Nabob or the Begum their Reaſons for delivering this ſeparate Account.

" Mr. Francis.—I think that Mr. Goring ſhould be directed to inform the Board, whether the Delivery of this Paper was accompanied by any Explanation from the Nabob or the Begum, and if it was, that he would ſtate every Circumſtance to us.

" Mr. Barwell has no Objection to the Governor's Motion.

" Colonel Monſon.—I think Mr. Goring ſhould acquaint the Board, if the Begum gave any Explanation of the Account, and what paſſed between her and him when the Nabob gave it him. As for the Intention of the Nabob or Begum in delivering the Account, I think it impoſſible Mr. Goring can be acquainted with it, unleſs they have communicated their Sentiments to him. On this Subject Mr. Goring has already acquainted the Board how he came by the Paper. I therefore think it unneceſſary to apply to him further on that Head; and it appears to me, that the Account is already explained; but if the Governor General deſires it, the Begum may be aſked for a more minute Explanation.

" General Clavering.—I think that Mr. Goring ſhould be directed to inform the Board, Whether the Nabob or Munny Begum accompanied the Account delivered to him by any Circumſtances. As the Perſian Word Ziafut is ſaid to ſignify Entertainment; and as, from the Declaration of Munny Begum, it appears that this Money was given to the Governor when he was at the City ſettling the Affairs of the Nizamut, I think it is moſt probable, that it muſt be the ſame Sum of One Lack and a Half, of which Mha Raja Nundcomar ſpeaks in his Letter to this Board on the 8th of March laſt, in the following Words. 'The Governor, Mr. Haſtings, on the Month 'Aſſer 1179, went from Calcutta to Moorſhedabad; he remained about Three Months at Coſſimbuzar, and ſometimes went into the Nabob's Palace. After Mr. Haſtings returned from Moorſhedabad to Calcutta, Munny Begum ſaid to Raja Goordaſs, Write Word to Maha Raja Nundcomar, that it is proper and requiſite to give One Lack and fifty thouſand Rupees to the Governor, and beg of the Maha Raja to aſk the Governor, whether it ſhall be ſent in ready Money, or by a Bill of Exchange. I accordingly aſked Mr. Haſtings, who anſwered, I have Connections of Trade in that Part of the Country; let this Money be paid to Nurr Sing Cantoo's Brother, who is at Coſſimbuzar. In Conſequence of which I wrote to Raja Goordaſs and Munny Begum, that they ſhould deliver the Money to Nurr Sing Cantoo's Brother. Munny Begum, with Rajah Goordaſs's Knowledge, in the Month of Aughun 1179, paid this Money to the Governor, Mr. Haſtings, by Means of Nurr Sing aforeſaid, from under the Care of Chyten Ahur, Caſh-keeper to the Behala—Sonat Rupees 1,50,000.'—And therefore I am of Opinion that Mr. Goring's Inſtructions on this Subject ſhould be confined to every Circumſtance that paſſed on that Occaſion.

" Agreed, That Mr. Goring be directed to inform the Board of every Circumſtance which attended the Delivery of the Paper, and if any Explanation was given to * the Nabob or the Begum of theſe Papers, to report the whole Relation, and to require of the Begum a particular Explanation of the Payment ſaid to be made to the Governor General.

* Sic in Orig.

" The Governor General deſires that Mr. Goring may be directed to requeſt that the Begum will deliver her Explanation in Writing.

" Agreed, to direct Mr. Goring to act accordingly.

Signed at the End of the Conſultation,

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Richd. Barwell,
P. Francis." (a)

(a) Vide ſupra, Appendix, N° CVII.

Read, from Book 11, Page 38, already delivered in, the following Extract of a Conſultation of the 8th of June 1775.

" Fort William, 8th June 1775.

" At a Council; Preſent, Secret Dept. Thurſday.
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" Honourable Sir and Sirs,

" I have been favoured with your Letter of the 25th May, incloſing Extracts and Accounts relative to the Eſtabliſhment of the Nizamut; but obſerve you do not acknowledge the Receipt of mine of the 19th. In Compliance with your Orders, to explain the Delivery of the Paper containing an Account of Three Lacks of Rupees, I am to inform you, it took its Riſe from a Meſſage ſent me by the Begum, requeſting I would intereſt myſelf with the Nabob to have Etwar Ally Khan releaſed to her for a few Hours, having ſomething of Importance to communicate to me, on which ſhe wiſhed to conſult him, thinking the Service might be benefited by it. I accordingly deſired the Nabob would be pleaſed to deliver him to my Charge, engaging to return him the ſame Night; which I did. I heard no more till the next Day, when the Begum requeſted to ſee his Excellency and myſelf, deſiring Etwar Ally might attend.

" On our firſt Meeting, ſhe entered into a long Detail of her Adminiſtration, endeavouring to repreſent it in the faireſt Light; at laſt ſhe came to the Point, and told me, my urgent and repeated Remonſtrances to her to be informed how the Balance aroſe, of which I was to enquire, induced her, from Memory, to ſay what ſhe had herſelf given, then mentioning the Sum of a Lack and a Half to the Governor, to feaſt him whilſt he ſtaid here; and a Lack and a Half to Mr. Middleton, by the Hands of Bubboo Begum. As I looked on this no more than a Matter of Converſation, I roſe to depart, but was detained by the Begum's requeſting the Nabob to come to her. A Scene of Weeping and Complaint then began, which made me ſtill more impatient to be gone, and I repeatedly ſent to his Excellency for that Purpoſe; he at laſt came out, and delivered me the Paper I ſent you, declaring it was given him by the Begum to be delivered * me. If in this Affair I have exceeded my Duty, I humbly beg Pardon; but the extraordinary Confidence you were pleaſed to repoſe in me, and the unlimited Power attending it, moved me to exert myſelf to the utmoſt, that the Intent of my Appointment might not be intirely fruitleſs. * Sic in Orig.

" I am ſorry to acquaint you, from what I have already heard, that the Nabob's Affairs are in a very deſperate State; the Sheriſtadars have delivered me an Account from Memory (the Papers being ſorting and under Seal), by which it appears the Nabob is in Debt Ten Lacks of Rupees; the Particulars I hope to tranſmit you in a few Days.

" Encloſed I ſend you the Begum's Letter, and Account particular of the Three Lacks, under its Cover.

" I am, &c.

" 3d June 1775.

(Signed) C. Goring."

" From Munny Bhegum to General Clavering; incloſed in Mr. Goring's Letter to the Board of 3d June.

" After the uſual Forms, Mr. Goring has preſſed me on the Subject of the Balances; in anſwer to which I informed him, that all the Particulars being on Record, would, in the Courſe of the Enquiry, appear from the Papers; he accordingly received from the Nabob Mobarek ul Doulah a Liſt of Three Lacks of Rupees, given to the Governor and Mr. Middleton; I now ſend you incloſed a Liſt of the Dates when it was preſented, and through whoſe Means, which you will receive.

" Memoradum. * Sic in Orig.

" For Entertainment for the Governor Amand ud Dowlah, Mr. Haſtings, in conſequence of a Requeſt ſigned by his Highneſs Rajah Goordaſs, and other Seriſhtadars, dated the 11th of Ramzan, in the 14th Sun, One Lack and Half of Rupees was delivered, through the Means of Chiton Durr, a Shroff of the Bahla Treaſury, in the following Manner, viz.

On the 23d of Ramzan, to Nurſing Baboo, Cantoo Baboo's Brother, —	1,00,000
On the 21ſt of Mohorrum, depoſited by Rajah Goordaſs, through Chiton Durr, for Bills drawn in favour of Sobaram Byſack, on the following Houſes; viz.	
On the Houſe of Ram Sohâe — — — —	35,000
On the Houſe of Muttoree Sune — — — —	15,000
Rupees	1,50,000

" Dated the 2d Rubbee Aſſanee, or 2d of June.

" Memorandum

" Memorandum of Sums given to Mr. Middleton, through Chiton Durr, Shroff of the Bahla Treaſury, for which Baboo Bhegum gave a Receipt under her own Seal, dated the 5th of Shaban, of the 14th Sun, in the following Manner; viz.

" On the 5th of Shabân, into the Hands of Sumboo Baboo, Son-in-law to Santiram Sing — — — — — — — —	1,00,000
" On the 19th of Zeikaida, into the Hands of Sumboo Baboo — —	25,000
" On the 21ſt of Zehedja, in the 16th Sun, into the Hands of Sumboo Baboo	25,000
Rupees	1,50,000

" Dated the 2d Rubbee Aſſanee, or 2d June.

" Ordered, That the Incloſures in the Letters of the 27th May and 1ſt of June be entered after Conſultation.

" The Governor General begs Leave to make the following Remark to the Board.

" As neither Mr. Goring's Letter of the 3d of June, nor the Begum's Letter addreſſed to the General, which was encloſed in it, contain the full Confirmation required in the Letter written by the Board to Mr. Goring on the 25th May, I deſire that the following Queſtions may be propoſed to the Begum.

" 1ſt. Was any Application made to you for the Account which you have delivered of Three Lacks of Rupees, ſaid to have been paid to the Governor and Mr. Middleton; or did you deliver the Account of your own free Will and unſolicited?

" 2d. In what Manner was the Application made to you, and by whom?

" 3d. On what Account was the Sum, One and Half Lacks, given to the Governor General, which you have laid to his Account? Was it in conſequence of any Requiſition from him, or of any previous Agreement, or of any eſtabliſhed Uſage? I muſt further requeſt, that theſe Queſtions be tranſmitted to the Reſident at the Durbar, and that he be directed to put them, in Perſon, to the Begum, and to take down her Anſwers in her Preſence.

" Mr. Francis.—I agree, provided Mr. Goring be preſent while the Queſtions are put; but to be ſilent, and not to interfere in them.

" The Governor General.—I am ſorry I am under the Neceſſity of objecting to Mr. Goring's being preſent; it was to * pervert the Effect of any Influence which might be exerciſed by Mr. Goring over the Begum, who is at preſent under abſolute Subjection to his Authority, that I deſired the Board to inveſt the Reſident at the Durbar, the only regular official Channel for ſuch a Communication, with this Commiſſion; I muſt therefore beg Leave to obviate any further Propoſal for his being preſent, and hope that Mr. Francis himſelf, and the Board, will think this a ſufficient Reaſon for my objecting.

* Sic in Orig.

" Mr. Barwell.—I acquieſce in the Governor General's Requeſt; and as the Reaſon's which poſſibly have influenced Mr. Francis, might have Weight with me to embrace his Propoſal, that Mr. Goring ſhould accompany Mr. Martin to the Begum, and be preſent while the Queſtions were put, I beg the Favour of Mr. Francis to acquaint me with his Sentiments why he has judged it neceſſary.

" Colonel Monſon.—I have no Objection, for the Governor General's Satisfaction, that the Queſtions ſhould be put to the Begum; but I think Mr. Martin an improper Perſon to do it, as he now ſtands accuſed, and is ſaid to have received a Sum of Money from Ewaz Ally Cawn for his Conſent in the Appointment of a Servant to the Nabob's Houſehold; therefore I deem him a Perſon who may be influenced in this Enquiry. I would therefore recommend that theſe Queſtions be put to the Begum in the Preſence of Mr. Goring, Mr. Martin, and any third Perſon the Board ſhall think proper to appoint, viz. Mr. Maxwell, Mr. Anderſon, or Mr. Grant. The Firſt Queſtion, in my Opinion, has already been anſwered by Mr. Goring in his Letter of the Third of June; the Second Queſtion I think unneceſſary; for if the Money was given, it is of little Conſequence to the Public in what Manner this Tranſaction has been made known; with reſpect to the Third Queſtion, we already know on what Account the Lack and Half of Rupees was given; whether it was in conſequence of a Requiſition from the Governor, or any other Perſon, or by previous Agreement, is not material, as the Directors will judge how far the Governor's having accepted of ſuch Preſents is agreeable to their Sentiments. I have heard that it has been an eſtabliſhed Uſage for Perſons of diſtinguiſhed Rank, when reſident at the Court of Eaſtern Princes, to have large Sums of Money given them for their Table Expences. The Governor General can himſelf ſatisfy the Court of Directors whether he received ſuch an Allowance from the Begum or the Nabob's Houſehold, or whether he has charged any Sum on Account of his Expences to the Company while at Muxadavad.

General Clavering.—I am very willing to agree that Mr. Martin ſhould be preſent when the Queſtions are put, together with Mr. Maxwell and Mr. Anderſon, the Two Gentlemen of the Council at Muxadavad who are appointed to examine the Accounts; and I think that the Queſtions ſhould be propoſed by Mr. Maxwell, Mr. Goring being preſent. It would be very improper that Mr. Martin ſhould alone propoſe the Queſtions, becauſe he has been accuſed of taking Money for an Appointment in the Nabob's Houſehold, and the Accuſation has been tranſ-

mitted

mitted to us by Mr. Goring, he therefore muſt be conſidered as Mr. Goring's Enemy. In regard to the Manner in which the Appointment was made to the Begum, or by whom, * ſeems to be very immaterial: What appears to be moſt eſſential to the Governor is, to find out from the Begum's Anſwers whether the Sum of 1,50,000 Rupees, which the Begum declares ſhe gave to the Governor, was a Part of the Money alledged by Mah Rajah Nundcomar, or whether it was a ſeparate Sum. It appears to me to be equally illegal, whether the Money was given to the Governor in conſequence of a Requiſition from him, or in conſequence of any previous Agreement, or of any eſtabliſhed Uſage, without he had the Authority of the Court of Directors for receiving the Money; and therefore I conceive that it can be of no Manner of Uſe to him whether that Part of the Third Queſtion be anſwered in the Affirmative or the Negative. * Sic in Orig.

" Governor General.—I do not mean to make the Board the Judges of my Conduct, but have diſclaimed their Right of judging me: but even if I had not done it, I have certainly a Right to determine for myſelf what Points are neceſſary for my own Juſtification. I have objected to Mr. Goring, and to him only. I have no particular Deſire that Mr. Martin ſhould put the Queſtions to the Begum; let the Board nominate Mr. Anderſon to this Commiſſion, or Mr. Maxwell if he underſtands the Language, or join Mr. Martin to both theſe Gentlemen; I have no Objection to either; but I muſt object to Mr. Goring, becauſe I believe that if he is preſent the Begum will anſwer the Queſtions under the Dread of his Authority. I once more refer it to the Board to determine whether Mr. Goring ſhall or ſhall not be preſent on the Occaſion.

" Mr. Francis begs Leave to give the following Explanation, agreeable to the Requeſt of Mr. Barwell.

" I am at all Times ready to give an Explanation of the Motives of my Opinion to any Member of the Board who may deſire it, though ſtrictly I am at Liberty to decline it. The Begum, I obſerve, is ſuſpected to be under the Influence of Mr. Goring: If, after the Declarations ſhe has made to him, and which, from the above Suſpicion, he may be ſuppoſed to have extorted from her, ſhe ſhould afterwards be examined by another Perſon in Mr. Goring's Abſence, and vary from her firſt Declaration, we may expect that Mr. Goring will then complain that oppoſite Influence has prevailed over her to do ſo. Let the Queſtions be put into Writing and read, or delivered to her publicly, and then I think there can be no Ground for a Suſpicion of undue Influence of either Side.

" Mr. Barwell.—I admit the Juſtneſs of the Argument on which Mr. Francis founds his Opinion for joining Mr. Goring with Mr. Martin; but as the Governor's Objections to that Gentlemen * are thought by him to be very material, and I coincide with him in that Opinion, I am againſt Mr. Goring's being preſent when the Queſtions the Governor has deſired are put to the Begum. As there are Objections likewiſe ſtarted to Mr. Martin, I am againſt that Gentleman being preſent, particularly as there are Two others to whom no Objection has been made. * Sic in Orig.

" Agreed, That the Queſtions propoſed by the Governor General be tranſlated into Perſian, to be delivered to the Begum in the Preſence of Meſſrs. Goring, Maxwell, Martin, and Anderſon, and that the Paper be tranſmitted to theſe Gentlemen for that Purpoſe, with the following Directions, &c. &c.

" To Meſſrs. Goring, Maxwell, Martin, and Anderſon.

" Gentlemen,

" We tranſmit you encloſed a Paper addreſſed to Munny Begum, containing ſundry Queſtions to which we are deſirous of obtaining her Replies; we therefore direct that you cauſe the ſaid Paper to be delivered to her in your Preſence, and in the Name of this Board you will at the ſame Time requeſt to be furniſhed with her Anſwers to each Article in Writing, which when delivered are to be forwarded immediately to us; but we poſitively direct that you enter into no Converſation with the Begum, either jointly or ſeparately, upon the Subject, or the Contents of the Paper.

We are, &c.

" Fort William,
June the 8th 1775.

Signed at the End of the Conſultation,
" Warren Haſtings, Rd. Barwell,
J. Clavering,
Geo. Monſon,
P. Francis." (a)

Read, from Page 624 of the ſame Book, the following Extract of a Conſultation of the 24th July 1775.

" Fort William, the 24th July 1775.

" At a Council; Preſent,

Sec. Dept. Monday.

The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" From Munny Begum, addreſſed to the Governor General and Council. Received the 14th June 1775.

(a) Vide Appendix, No CXVII.

The Counſel for the Defendant ſtated, That Mr. Haſtings acceded to the Queſtions recorded in the Conſultation of the 8th of June 1775, being put to the Munny Begum, provided Mr. Goring were not preſent when they were put; but was overruled in that reſpect by the Board: Therefore, the Anſwers of the Begum now about to be read, were no Evidence againſt him.

The Managers for the Commons were heard in anſwer to the ſaid Objection.

The Houſe ordered ſo much of the Conſultation of the 8th of June 1775, as relates to the Queſtions ſent to the Begum, to be again read.

The ſame was read accordingly.

Then to ſhew that the Queſtions ſent to the Munny Begum were delivered to her, and her Anſwers tranſmitted to the Board,

Read, the following Extract of the Conſultation of the 24th July 1775, from Book 11, beginning at Page 624.

" Fort William, the 24th July 1775.

Secret Dept. Monday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" Honourable Sir and Sirs,

" We were favoured with your Letter of the 8th inſtant this Morning, and, in Compliance with your Orders, waited upon Munny Begum at Six o'Clock this Evening, delivering her the Queries incloſed in your Letter; to which we received, at Twelve o'Clock this Night, the incloſed Anſwer, ſuperſcribed with our Initials, and have immediately diſpatched it to you.

" We are, &c.

" The Killah at Moorſhedabad,
11th June 1775. (Signed) " C. Goring,
Wm Maxwell,
W. B. Martin,
D. Anderſon." (a)

The Counſel for the Defendant ſtated, and the Managers for the Commons admitted, that Mr. Haſtings neither ſaid nor did any Thing at the ſaid Conſultation upon the abovementioned Letter and the Begum's Anſwers being read.

Then, to ſhew the Account Mr. Haſtings himſelf gave of the above Tranſaction,

Read, from Book 208, already delivered in, the following Extract of a Letter from the Governor General to the Court of Directors, dated Fort William, 31ſt July 1775.

" The Begum, ſince her Diſgrace, has been added to the Liſt of my Accuſers. The Manner in which this extraordinary Manœuvre was effected will be too plainly ſuggeſted, even by the Facts which appear in the abrupt and myſterious Relation of it by Mr. Goring.

" Mr. Goring was deputed by the Board to diveſt the Begum of her Authority, to place it in the Hands of the Son of Nund Comar, to receive from the Begum the Accounts of the Nabob's Expences, and to deliver them to the Gentlemen, who were, at the ſame Time, appointed to examine and report them to the Board. What private Inſtructions he received I know not; but One of his firſt Acts of Authority, after having taken Care to impreſs the Begum with a proper Idea of the Extent of his Power over her own Perſon, by apprizing her of the Order of the Board for her Removal from the Palace to a remote Houſe in the City, and that the Execution of this Order depended ſolely on his Option, was to impriſon Etwar Ally Cawn, her chief Eunuch and confidential Servant, on the Complaint of One of the Servants of the Houſehold reſpecting a private Grievance, totally foreign from the declared Purpoſes of Mr. Goring's Commiſſion. By this Species of Torture, inflicted on the Mind of a weak Woman, who had hitherto been accuſtomed to the gentleſt Treatment, and moſt reſpectful Addreſs, from all Perſons of what Rank ſoever who approached her, ſhe was compelled to deliver a Paper to Mr. Goring, containing an Account of Two Sums charged to have been paid to Mr. Middleton and myſelf, each amounting to 1,50,000 Rupees. Etwar Ally was in conſequence immediately releaſed from Impriſonment, and the Begum permitted to continue in Poſſeſſion of her own Apartments.

(a) Vide Appendix, N° XCVIII.

" It

" It is remarkable, that even the obvious Precaution of introducing this ſtrange Production, with ſome Circumſtances which might mark it as the voluntary Act of the Begum, was totally diſregarded; and the Begum, a Woman of the firſt Rank in the Province, made abruptly to preſent a formal Accuſation againſt the Firſt Member of the preſent, and the Two firſt Members of the laſt Adminiſtration, with the gloomy Silence of a common mercenary Informer.

" The following Extracts will ſerve as a Specimen of the Oppreſſion exerciſed on the Begum and her Officers, the Mode choſen by Mr. Goring for eluding the Appeals which ſhe might be provoked to make to the Supreme Court of Juſtice, and the Deriſion with which this inſolent young Man has dared to treat her Feelings, even in a Letter written by him to the Council.

" Extract of a Letter from Mr. Goring to the Board, dated the 17th May 1775.

' On the Begum's hearing that Part of the Letter read relating to her being removed to Meer ' Jaffier's Houſe, ſhe exclaimed againſt it; and ſaid, that if ſhe was to quit the Kella, ſhe would ' go to Calcutta. I told her this was a diſcretionary Order and left to me, if I thought it neceſ- ' ſary, explaining to her that Part of my Inſtructions, and aſſuring her ſhe ſhould be uſed with ' the utmoſt Reſpect, according to your Orders. I beg to know, however, if you will admit of ' her going to Calcutta, ſhould I find it neceſſary to remove her from the Kella, which I fear I ' ſhall, from the Character of the People about her, particularly Etwar Ally Cawn, and Roy Ang- ' ſing, the Head of the Hircarrahs, who have been the chief Managers ſince the Begum has had ' Charge of the Nabob, and who have accumulated great Wealth, particularly the former, by ' his Excellency's Account, who was raiſed from a menial Station to the One he now holds.

' As the Begum hinted that there were Courts of Juſtice at Calcutta, and that the Aggrieved ' could there get Redreſs, if you think proper, all Orders for confining the Servants, who may be ' or are faulty, ſhall be iſſued in the Nabob's Name, who, I apprehend, has an undoubted Right ' over them.'

" Extract of a Letter from Mr. Goring to the Board, dated the 5th of June.

' I have only to add, that, previous to ſending the above Papers, I waited on her (the Begum) ' with the Nabob and Goordaſs. On mentioning the Matter, ſhe flew into a violent Paſſion, abuſed ' Goordaſs, beat herſelf, and denied the Whole.'

" Extract of a Letter from Nonidroy, addreſſed to the General and the Gentlemen of the Council, and entered in Conſultation of the 24th July.

' On the Second of the ſame Month, between Seven and Eight in the Morning, Rajah ' Goordaſs went to Ferralang, and was received very graciouſly by Mr. Goring, who ex- ' preſſed his Pleaſure at the Kindneſs of the Rajah in this Viſit: After which, they entered into ' Converſation with Chyton Durr, the Behla Treaſurer, concerning the Nezeranna given to the ' Governor, amounting to Two Lacks of Rupees, which were ſent to Calcutta at the Time of the ' Begum's being inveſted with the Adminiſtration. At laſt, the ſaid Treaſurer mentioned ſome- ' thing contrary to the Orders of the ſaid Gentleman, and was therefore put under a Guard of ' Sepoys for near Two Hours; after which, he agreed that he would relate, in the Evening, ' whatever he might be able to diſcover from Yatebar Ally Cawn, and from an Examination into ' the Papers: On this he was releaſed. Rajah Gourdaſs, and the ſaid Treaſurer, went, in the ' Evening, to Ferralang, and remained there till near Eight at Night. I underſtand that no- ' thing was ſettled. Victuals being ſent to Mr. Goring from the Nabob's Sircar, according to ' our eſtabliſhed Cuſtom, he ſent it back again. The Papers of the Seriſhta of the Nizamut, ' Behla, &c. remained open from Nine o'Clock in the Morning till Seven in the Evening.'

" Mr. Goring ſtill continues at the City, notwithſtanding the oſtenſible Purpoſes of his Commiſſion are, or ought to have been long ago, concluded; retaining the Begum in the moſt abſolute State of Dependance, and perſiſting in his Endeavours to extort from her further Accuſations; ſometimes practiſing on her Fears by Threats, at others tempting her by Promiſes of reſtoring her former Authority. This I learn from private Information; but I do not think it ſafe to divulge my Authority. You will judge of the Probability of it, from the Facts avowed by Mr. Goring, in his Letters, and from the general Tenor of his Commiſſion. This Treatment of the Begum has hitherto produced no other Effect, than to irritate her to ſhort Guſts of Anger, and ineffectual Reſolutions to come down to Calcutta, for an Aſylum againſt a Tyranny which ſhe could no longer ſubmit to.

" Such is the State of the Perſon, whom your former Adminiſtration thought worthy of being placed in the Firſt Office of Dignity in theſe Provinces, and whom your ſubſequent Commands have ſince confirmed in that Truſt, with Expreſſions of your fulleſt Approbation; and even the moſt honourable Teſtimonies of your Applauſe beſtowed on myſelf, for the Part which I had in the Plan and Conduct of this Tranſaction.

" As your Curioſity may be excited to read at large the Proceedings on the Diſmiſſion, and ſubſequent Treatment of Munny Begum, and the other Matters produced from both, I beg Leave to recommend to your Peruſal the following Conſultations of the Secret Department in which

they will be found, viz. 1ſt, 5th, 9th, 10th, and 25th May; 8th and 12th June, and 24th July.

" Fort William, (At the End)
31ſt July 1775. Warren Haſtings." (*a*)

The Counſel for the Defendant were aſked, if they perſiſted in their Objection.

The Counſel for the Defendant made anſwer, That they did. 1ſt. Becauſe the Queſtions were ſent to the Begum without the Conſent of Mr. Haſtings. 2dly. Suppoſing they had been ſent with his Conſent, there was no ſubſequent Demeanour of his to ſhew that he adopted the Subſtance of the Anſwers given by the Munny Begum.

The Managers for the Commons, in Reply, ſaid, They reſted their Anſwer to the Objections made by the Counſel on the Obſervations they had already made.

Then the Houſe adjourned to the Chamber of Parliament.

The Lords being returned, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid,

" Gentlemen, Managers for the Houſe of Commons, and you Gentlemen who are of Counſel for the Defendant, the Lords have reſolved, That the Conſultation of the 24th July 1775, containing the Anſwers of the Munny Begum to Queſtions propoſed to her at the Inſtance of Mr. Haſtings, ought to be read."

The following Extract of the ſaid Conſultation of the 24th July 1775, was read accordingly, from Page 624 of Book 11, already delivered in.

" Fort William, the 24th July 1775.

Secret Dep. Monday.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, Philip Francis, } Eſquires.

" From Munny Begum.

" Addreſſed to the Governor General and Council. Received the 14th June 1775.

" To-day, being Sunday, the 11th of Ribbee Aſſanee, or June, a little after Sun-ſet, Mr. Goring, Mr. Anderſon, and Mr. Maxwell came to me, and preſented me with a Paper, containing Queſtions from the Governor General and Council, without any Seal or Signature. In the ſaid Paper is the following Queſtion.

" Whether any Application was made to me for the Account of the Three Lacks of Rupees which are laid to the Charge of the Governor and Mr. Middleton, or whether I delivered it voluntarily, and without Solicitation. The Caſe is this.—Mr. Goring, on his Arrival here, ſeized all the Papers, and ſecured them under his Seal; and all the Mulſuddies attended him, and explained to him all the Particulars of them.

" Mr. Goring enquired of me, concerning the Arrears due to the Sepoys and Bohla, obſerving that the Nizamut and Bahlah Money was received from the Company, from whence then could the Balance ariſe? I made Anſwer, that the Sum was not adequate to the Expences. Mr. Goring then aſked, What are thoſe Expences which exceed the Sum received from the Company? I replied, All the Particulars will be found in the Papers. The Affair of the Three Lacks of Rupees, on Account of Entertainment for the Governor and Mr. Middleton, has been, I am told, related to you by Rajah Goordaſs; beſides which there are many other Expences which will appear from the Papers, as the Cuſtom of Entertainment is of long ſtanding; and accordingly every Governor of Calcutta who come * to Moorſhedabad received a daily Sum of 2,000 Rupees for Entertainment, which was in Fact inſtead of Proviſions; and the Lack and a Half of Rupees laid to Mr. Middleton's Charge, was a Preſent on Account of an Agreement entered into by the Baboo Begum. I therefore fixed my Seal to the Account, and forwarded it to Mr. Goring by Means of the Nabob.

* Sic in Orig.

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Richd. Barwell,
P. Francis." (*b*)

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide Appendix, N° II, and N° XCVI, Page 386. (*b*) Vide Appendix, N° XCVIII.

Die Mercurii, 10° *Junii* 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons offered to produce certain official Documents properly atteſted relative to the Receipt by Mr. Haſtings of the One Lack and a Half of Rupees, ſtating that they were tranſmitted by Mr. Goring to the Board of Council at Calcutta, received by them, recorded without any Objection on the Part of Mr. Haſtings, and tranſmitted by him, likewiſe without Objection, to the Court of Directors.

The Counſel for the Defendant objected to the ſame, as being a voluntary Tranſmiſſion of Papers in themſelves not Evidence, and not ſanctioned by any Conduct of Mr. Haſtings.

The Managers for the Commons being heard in *Anſwer to the Objection*, and the Counſel for the Defendant in Reply;

The Houſe adjourned to the Chamber of Parliament.

The Lords being returned, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Houſe of Commons, and you, Gentlemen, who are of Counſel for the Defendant, the Lords have reſolved, That the Papers which are now offered in Evidence by the Managers for the Commons, ought not to be read."

The Managers for the Commons ſtated, that not knowing the Grounds on which the Houſe had determined the abovementioned Documents to be inadmiſſible, they ſuppoſed it muſt be in the Light they had offered them. They wiſhed therefore to know, whether, as the Munny Begum had tranſmitted, under her own Hand, to a Commiſſioner appointed by the Board, and therefore by Mr. Haſtings himſelf, the laſt Document read on Thurſday laſt, they were at Liberty now to read an original Perſian Letter, under the Hand and Seal of the Munny Begum, and ſigned by the Nabob, and tranſmitted by Mr. Goring to the Board, to ſhew that the Munny Begum never, at any Time, varied from the above Teſtimony.

They ſtated alſo, as an Act of Demeanour on the Part of Mr. Haſtings, that when the Munny Begum was not under any ſuppoſed Compulſion, he never attempted to invalidate the ſame.

The Houſe informed the Managers for the Commons, that the Papers offered in Evidence could not be produced in that Light.

The Managers for the Commons informed the Houſe, they would next produce a Witneſs to authenticate an original Perſian Paper, delivered by the Munny Begum to Mr. Goring, under her own Seal, to prove that Mr. Haſtings had received One Lack and a Half of Rupees, under Colour of an Entertainment.

Then CHARLES GORING Eſquire was called in; and being ſworn, was examined as follows.

Q. Whether you had any, and what Converſation with the Munny Begum relative to the Preſent of One Lack and a Half of Rupees given to Mr. Haſtings as an Entertainment?

The Counſel for the Defendant objected to Evidence of any Converſation with the Munny Begum, Mr. Haſtings himſelf not being preſent.

Q. Whether there was any Converſation between you and the Begum upon any Subject?

The Counſel for the Defendant objected on the ſame Ground.

Q. Did you receive any, and what Paper from Munny Begum?
A. I received Five Statements.

The Counſel for the Defendant objected to the Production of the Paper, unleſs it was delivered in Mr. Haſtings's Preſence, and the Contents read to him.

Then the Managers for the Commons ſtated, That the original Inſtrument, under the Seal of the Begum, now in Queſtion, having been rejected, when offered upon the Grounds before ſtated, they now propoſed to offer it upon the Ground of its being an original Inſtrument, duly authenticated under the Seal of the Begum, and atteſted by the Nabob; it being contrary to the Cuſtom of that Country for Women of Rank to appear in Publick, or to take an Oath; to prove which Cuſtom, they deſired the Witneſs might be aſked,

Q. Whether or no, according to the Cuſtom of that Country, a Woman can perſonally appear in Publick to give Evidence?

The Counſel for the Defendant ſtated, That they conſidered the Queſtion as immaterial; objecting, however, That as the Evidence itſelf was not upon Oath, it could not be read.

The Houſe informed the Managers for the Commons, That ſuppoſing the Cuſtom to be as ſtated, it was impoſſible that the Paper, as deſcribed, could be admitted in Evidence againſt the Defendant.

The Witneſs was directed to withdraw.

To ſhew that *Mr. Haſtings* gave Information to the Court of Directors of this Charge of the One Lack and a Half of Rupees, unaccompanied with any Explanation or Denial on his Part,

Read, from Book 208, already delivered in, the following Extract of a Letter from the Governor General to the Court of Directors, dated Fort William, 31ſt July 1775.

" The Begum, ſince her Diſgrace, has been added to the Liſt of my Accuſers. The Manner in which this extraordinary Manœuvre was effected will be too plainly ſuggeſted, even by the Facts which appear in the abrupt and myſterious Relation of it by Mr. Goring.

" Mr. Goring was deputed by the Board to diveſt the Begum of her Authority, to place it in the Hands of the Son of Nund Comar, to receive from the Begum the Accounts of the Nabob's Expences, and to deliver them to the Gentlemen, who were, at the ſame Time, appointed to examine and report them to the Board. What private Inſtructions he received I know not; but One of his firſt Acts of Authority, after having taken Care to impreſs the Begum with a proper Idea of the Extent of his Power over her own Perſon, by apprizing her of the Order of the Board for her Removal from the Palace to a remote Houſe in the City, and that the Execution of this Order depended ſolely on his Option, was to impriſon Etwar Ally Cawn, her chief Eunuch and confidential Servant, on the Complaint of One of the Servants of the Houſehold reſpecting a private Grievance, totally foreign from the declared Purpoſes of Mr. Goring's Commiſſion. By this Species of Torture, inflicted on the Mind of a weak Woman, who had hitherto been accuſtomed to the gentleſt Treatment, and moſt reſpectful Addreſs, from all Perſons of what Rank ſoever who approached her, ſhe was compelled to deliver a Paper to Mr. Goring, containing an Account of Two Sums charged to have been paid to Mr. Middleton and myſelf, each amounting to 1,50,000 Rupees. Etwar Ally was in conſequence immediately releaſed from Impriſonment, and the Begum permitted to continue in Poſſeſſion of her own Apartments.

" It is remarkable, that even the obvious Precaution of introducing this ſtrange Production, with ſome Circumſtances which might mark it as the voluntary Act of the Begum, was totally diſregarded; and the Begum, a Woman of the firſt Rank in the Province, made abruptly to preſent a formal Accuſation againſt the Firſt Member of the preſent, and the Two firſt Members of the laſt Adminiſtration, with the gloomy Silence of a common mercenary Informer.

" The following Extracts will ſerve as a Specimen of the Oppreſſion exerciſed on the Begum and her Officers, the Mode choſen by Mr. Goring for eluding the Appeals which ſhe might be pro-

voked to make to the Supreme Court of Juſtice, and the Deriſion with which this inſolent young Man has dared to treat her Feelings, even in a Letter written by him to the Council.

" Extract of a Letter from Mr. Goring to the Board, dated the 17th May 1775.

' On the Begum's hearing that Part of the Letter read relating to her being removed to Meer ' Jaffier's Houſe, ſhe exclaimed againſt it; and ſaid, that if ſhe was to quit the Kella, ſhe would ' go to Calcutta. I told her this was a diſcretionary Order and left to me, if I thought it neceſ- ' ſary, explaining to her that Part of my Inſtructions, and aſſuring her ſhe ſhould be uſed with ' the utmoſt Reſpect, according to your Orders. I beg to know, however, if you will admit of ' her going to Calcutta, ſhould I find it neceſſary to remove her from the Kella, which I fear I ' ſhall, from the Character of the People about her, particularly Etwar Ally Cawn, and Roy Ang- ' ſing, the Head of the Hircarrahs, who have been the chief Managers ſince the Begum has had ' Charge of the Nabob, and who have accumulated great Wealth, particularly the former, by ' his Excellency's Account, who was raiſed from a menial Station to the One he now holds.

' As the Begum hinted that there were Courts of Juſtice at Calcutta, and that the Aggrieved ' could there get Redreſs, if you think proper, all Orders for confining the Servants, who may be ' or are faulty, ſhall be iſſued in the Nabob's Name, who, I apprehend, has an undoubted Right ' over them.'

" Extract of a Letter from Mr. Goring to the Board, dated the 5th of June.

' I have only to add, that, previous to ſending the above Papers, I waited on her (the Begum) ' with the Nabob and Goordaſs. On mentioning the Matter, ſhe flew into a violent Paſſion, abuſed ' Goordaſs, beat herſelf, and denied the Whole.'

" Extract of a Letter from Nonidroy, addreſſed to the General and the Gentlemen of the Council, and entered in Conſultation of the 24th July.

' On the Second of the ſame Month, between Seven and Eight in the Morning, Rajah ' Goordaſs went to Ferralang, and was received very graciouſly by Mr. Goring, who ex- ' preſſed his Pleaſure at the Kindneſs of the Rajah in this Viſit: After which, they entered into ' Converſation with Chyton Durr, the Behla Treaſurer, concerning the Nezeranna given to the ' Governor, amounting to Two Lacks of Rupees, which were ſent to Calcutta at the Time of the ' Begum's being inveſted with the Adminiſtration. At laſt, the ſaid Treaſurer mentioned ſome- ' thing contrary to the Orders of the ſaid Gentleman, and was therefore put under a Guard of ' Sepoys for near Two Hours; after which, he agreed that he would relate, in the Evening, ' whatever he might be able to diſcover from Yatebar Ally Cawn, and from an Examination into ' the Papers: On this he was releaſed. Rajah Gourdaſs, and the ſaid Treaſurer, went, in the ' Evening, to Ferralang, and remained there till near Eight at Night. I underſtand that no- ' thing was ſettled. Victuals being ſent to Mr. Goring from the Nabob's Sircar, according to ' our eſtabliſhed Cuſtom, he ſent it back again. The Papers of the Seriſhta, of the Nizamut, ' Behla, &c. remained open from Nine o'Clock in the Morning till Seven in the Evening.'

" Mr. Goring ſtill continues at the City, notwithſtanding the oſtenſible Purpoſes of his Commiſſion are, or ought to have been long ago, concluded; retaining the Begum in the moſt abſolute State of Dependance, and perſiſting in his Endeavours to extort from her further Accuſations; ſometimes practiſing on her Fears by Threats, at others tempting her by Promiſes of reſtoring her former Authority. This I learn from private Information; but I do not think it ſafe to divulge my Authority. You will judge of the Probability of it, from the Facts avowed by Mr. Goring, in his Letters, and from the general Tenor of his Commiſſion. This Treatment of the Begum has hitherto produced no other Effect, than to irritate her to ſhort Guſts of Anger, and ineffectual Reſolutions to come down to Calcutta, for an Aſylum againſt a Tyranny which ſhe could no longer ſubmit to.

" Such is the State of the Perſon, whom your former Adminiſtration thought worthy of being placed in the Firſt Office of Dignity in theſe Provinces, and whom your ſubſequent Commands have ſince confirmed in that Truſt, with Expreſſions of your fulleſt Approbation; and even the moſt honourable Teſtimonies of your Applauſe beſtowed on myſelf, for the Part which I had in the Plan and Conduct of this Tranſaction.

" As your Curioſity may be excited to read at large the Proceedings on the Diſmiſſion, and ſubſequent Treatment of Munny Begum, and the other Matters produced from both, I beg Leave to recommend to your Peruſal the following Conſultations of the Secret Department in which they will be found, viz. 1ſt, 5th, 9th, 10th, and 25th May; 8th and 12th June, and 24th July.

" Fort William,
31ſt July 1775.

(At the End)
Warren Haſtings." (*a*)

(*a*) Vide Appendix, N° II, and N° XCVI, Page 386; and Vide ſupra, Page 1036.

Then

Then MAJOR SCOTT was called in, and examined as follows.

Q. Whether, in the Year 1782, you did not act as Agent to Mr. Haſtings, by his Authority?
A. I did.

Then a Paper was ſhewn to the Witneſs, and he was aſked,

Q. Did you produce this Paper, on the 8th of May 1782, to the Committee of the Houſe of Commons, as a Letter from Munny Begum?

A. I rather think that it muſt have been in the Year 1783, and not in the Year 1782, that I produced a Perſian Paper to the Committee of the Houſe of Commons, that was then ſitting upon the Affairs of India: I believe it was in the Year 1783.

Then another Paper was ſhewn to the Witneſs, and he was aſked,

Q. Whether that was the Paper, and this the Tranſlation delivered by you, according to the beſt of your Judgement?

The Counſel deſired the Witneſs might be aſked,

Whether he had compared the Paper and Tranſlation ſo as to underſtand whether it was a Tranſlation, and whether that was the identical Perſian Paper?

The Witneſs was aſked,

Q. Do you, or not, remember whether that Paper now put into your Hand, was the Paper you delivered at the Bar of the Houſe of Commons?

A. I do not recollect whether this was the Paper; but I am confounded with reſpect to the Date; being in the Year 1782, and not in 1783, that if it was in the Year 1782, and not in 1783, my Memory has totally forſaken me upon the Subject. The Honourable Manager was examining me before the Committee and Mr. Goring reſpecting the Tranſactions that happened in 1775; Tranſactions that were tranſmitted to the Court of Directors, and by them laid before a Court of Proprietors, and printed for the Information of the Publick. They were Tranſactions that occaſioned a great deal of Noiſe in England at the Time: Parties were very much divided in Opinion upon them; and upon that Occaſion, a Number of Gentlemen, with whom the Honourable Manager then and has ſince acted, took Part with Mr. Haſtings; another Set of Gentlemen, with whom the Honourable Manager has ſince acted, took a very ſtrong Part againſt Mr. Haſtings upon this very Point. At this very Period, I happened to dine with a Gentleman where the Matter before the Committee was talked of, and I mentioned to him, as an extraordinary Circumſtance, that the Select Committee ſhould be then examining into Circumſtances which happened ſo many Years ago, and which I thought were buried in Oblivion. Mr. Baber ſaid he had a very curious Paper upon that Subject, which he would give me. I brought it to the Committee, with the Tranſlation, and delivered it to them. Whether this is the Paper or not I cannot ſay, as I do not underſtand the Perſian Language, but this certainly, as far as I can recollect, not having ſeen it ſince 1783 to the preſent Time, looks like the Paper; whether it is or not, I cannot ſay.

The Managers for the Commons ſaid, they ſhould prove this to be the Paper which Major Scott delivered in to the Committee of the Houſe of Commons.

Q. *(by Counſel.)* Had you any Authority, directly or indirectly, from Mr. Haſtings, for the Production of the Paper you did produce, be it what it may?

A. I certainly had not, and when I came from Bengal as Agent to Mr. Haſtings, I do not believe it entered into the Head of Mr. Haſtings, or of any human Being, to give me Inſtructions relative to Tranſactions in the Year 1775, he having been afterwards Three Times appointed Governor General of Bengal by the Legiſlature. I had no Idea of its being mentioned, after being buried in Oblivion ſo long.

The Counſel for the Defendant objected, That no Paper produced by the Witneſs before the Committee of the Houſe of Commons, without the Authority of Mr. Haſtings, could be Evidence againſt Mr. Haſtings.

Q. Had you Powers of Agency from Mr. Haſtings that extended to this particular Inſtance of delivering in ſuch Papers as theſe?

A. No, not to this particular Inſtance; but I read to the Honourable Manager an Extract from my Inſtructions to the Point to which he alludes.

Q. Whether in delivering thoſe Powers of Agency, you delivered them to the Committee publickly, or to the Manager privately?

A. I went to the Committee, and the Honourable Manager, I believe, generally put the Queſtions to me; he was the moſt active of the Committee, and generally did put the Queſtions to me; and therefore I meant it was in reply to a Queſtion put by him.

Q. To

Q. Whether it was not to the Committee?
A. Yes; to the Committee certainly, on a Queſtion put by him.

Q. Whether you did not deliver in your Powers of Agency, or report them to the Court of Directors?
A. I delivered a Letter from Mr. Haſtings either to the Court of Directors or to the Chairman, which is printed in one of the Reports of the Committee: If the Honourable Manager will read that Letter I will confirm it to be mine. I believe the Select Committee ſent an Order to the Court of Directors, in Conſequence of which it was brought to the Committee, and is printed by them in One of the Reports.

Q. Whether the Object of your Agency was not to defend and explain Mr. Haſtings's Conduct upon ſuch Matters as he might be called in queſtion upon?

The Counſel for the Defendant objected, that the Inſtrument would ſpeak for itſelf.

The Witneſs was aſked:

Q. Was you conſtituted Agent by any Inſtrument?
A. When I left Bengal, Mr. Haſtings either put into the Company's Packet, or gave to me, a Letter to the Chairman of the Court of Directors, or to the Court of Directors, telling them, he had appointed me his Agent in England. I had a Letter of Inſtructions from Mr. Haſtings, One Paragraph of which I read to the Select Committee, and I refer to that to take the true Words of it.

Q. Whether, or no, the Purport of the Powers of Agency —?

The Counſel for the Defendant objected.

Q. Had you any Powers beſides thoſe contained in the Letter you have referred to?
A. No, none: But that it may not be ſuppoſed I laid before the Committee the Whole of the Letter of Inſtructions, I ſtate, that I laid before them a Part only of the Letter I received from Mr. Haſtings: I have no Objection to ſtate the Whole to the Houſe.

The Counſel for the Defendant objected to parole Teſtimony of written Evidence.

The Witneſs was aſked,

Q. Had you any particular Inſtructions beyond what were contained in the Paper?
A. No; none but what were contained in the Paper; but I did not lay before the Select Committee the Whole of the Inſtructions.

Q. Have you got the whole Letter of Inſtructions by you?
A. Yes, I believe I have; I dare ſay I have.

The Counſel for the Defendant objected, that the Witneſs could not be compelled to produce the Inſtructions.

Q. (*by the Managers*). Have you the Paper by you?
A. I have it not in my Pocket.

The Managers for the Commons ſaid, they gave the Witneſs Notice to produce it To-morrow.

The Counſel for the Defendant ſaid, that Production would be accompanied with the Objection already made.

The Witneſs was directed to withdraw.

Then Mr. WILLIAM EVATT was called, and being ſworn, a Paper was ſhewn him; and he was examined as follows:

Q. Look at that Paper?
A. This Paper was produced by Major Scott to the Select Committee on the 8th of May 1782.

Q. Are you ſure of the Time?
A. Yes, the 8th of May 1782. I have the Minute here of the Time it was produced, "A Minute of the 8th of May 1782."

Q. Are thoſe the original Minutes of the Committee?
A. Theſe are the original Minutes of the Committee.

Then another Paper was produced to the Witneſs.

Q. Look at the Tranſlation. Was that a Tranſlation of it?
A. This was the Tranſlation delivered in by Major Scott the ſame Day.

Q. Was it delivered in as a Tranſlation of that other Paper?
A. Yes; it was.

Q. Were thoſe Papers delivered in by Major Scott?
A. Theſe are the Two Papers delivered in by Major Scott.

Q. Were they docquetted by you?
A. They were.

Q. At the Time?
A. Yes.

Q. I deſire to know whether Major Scott was not examined at another Time?
No Anſwer.

Then the Witneſs was directed to withdraw.

Then EDWARD BABER Eſquire was called in; and being ſworn, and Two Papers being ſhewn to him, he was examined as follows:

Q. Look at thoſe Two Papers, and ſay, Whether thoſe are the Papers, to the beſt of your Recollection and Belief, which you delivered to Major Scott?
A. I believe they are.

Q. I deſire to know, Whether you did not yourſelf authenticate thoſe Papers before a Select Committee of the Houſe of Commons in the Year 1782. Whether the Perſian Paper was not delivered by you to a Select Committee of the Houſe of Commons as an authentic Letter from the Munny Begum?
A. I delivered this to Major Scott, who delivered it to the Committee of the Houſe of Commons.

Q. Was you examined yourſelf upon the Subject?
A. I was.

Q. Did you declare to that Committee —— ?

The Counſel for the Defendant objected to the Queſtion.

Q. From whom did you get that Letter?
A. Munny Begum ſent this Letter to me by the Hands of her Moonſhy, Abdul Reum Cawn.

Q. For what Purpoſe did Munny Begum ſend it to you?

The Counſel for the Defendant objected to the Queſtion.

Q. Was you directed to ſend that Letter over here?
A. I ſent a Tranſlation of this Letter to Mr. Haſtings at Calcutta.

Q. To Mr. Haſtings himſelf?
A. Yes.

Q. Was it delivered to you by Abdul Reum Cawn for the Purpoſe of being delivered to Mr. Haſtings by you?
A. It was delivered to me for the Purpoſe of being tranſlated and ſent to Mr. Haſtings.

Q. You did ſend it accordingly?
A. I did ſend it accordingly.

Q. You did not tranſlate the Letter yourſelf?
A. No; I do not underſtand Perſian.

Q. What was it you ſent to Mr. Haſtings?
A. I ſent a Tranſlation of this Paper to Mr. Haſtings. I was at Murſhedabad, a hundred Miles from Calcutta. I ſent it by the Poſt to Mr. Haſtings. It was tranſlated by Mr. Cowper, who then lived with me at Murſhedabad.

Q. I deſire to know whether the Tranſlation now in your Hand, was the Tranſlation you ſent to Mr. Haſtings, or an authentick Copy of it?
A. This is a Copy of the Tranſlation I ſent to Mr. Haſtings.

Q. To whom was the Letter directed?
A. The Letter I ſent to Mr. Haſtings, was directed to Mr. Haſtings.

Q. But the Perſian Letter and Tranſlation; to whom was it directed? To whom was it addreſſed?
A. I do not underſtand Perſian.

Q. To

Q. To whom is it addreſſed?

A. The Addreſs I will read, if you pleaſe. (*Reads.*) "Tranſlation of a Narrative written by the Begum Regent Dowager of the late Nabob, Meer Mahomed Jaffier Ally Khan, and Mother and Guardian of the preſent Nabob Mubauruck ud Dowlah; ſetting forth the Particulars of the extraordinary Conduct and Proceedings of Mr. Charles Goring, who was deputed by the Gentlemen of the Majority, Meſſrs. Clavering, Monſon, and Francis, to diſpoſſeſs her of the Regency, and to ſeize upon all the Houſehold Papers and Accounts:—addreſſed to the Eaſt India Company." There is a Mark in the Hands of the Perſon who copied it, "Addreſſed to the Eaſt India Company."

Q. (*by a Lord.*) That Paper, together with that Mark and that Title, you ſent to Mr. Haſtings—a Copy of it?

A. I did.

Q. A faithful Copy?

A. Of courſe; I never ſend any other.

Q. (*by Managers.*) Do you not know that that Letter is addreſſed to the Eaſt India Company? Do you know any Thing more of it than what you obſerve upon the Face of the Paper?

A. Nothing. It is not upon the Original, I believe; but it can be aſcertained.

Q. What did you do with the Paper when you brought it to England?

A. I kept theſe Two Papers in my Poſſeſſion as mere Matters of Curioſity; and when this Subject was enquired into by the Select Committee of the Houſe of Commons, I told Major Scott I had ſuch a Paper, if it could be of any Uſe I would give it him: I did give it him, and he gave it to the Select Committee.

Q. (*by a Lord*). Did you ever read it?

A. Yes, ſeveral Times.

Q. (*by a Manager*). Whether you ever communicated it to any of the Directors of the Eaſt India Company?

A. No.

Q. Nor to any other Perſon but Major Scott?

A. No.

Q. Whether you had any Direction from Mr. Haſtings relative to his Defence, or any Powers of Agency, or acting for him. Had you any Directions from Mr. Haſtings relative to his Defence?

A. At what Time?

Q. At any Period of Time from the Time of your coming from Murſhedabad, or there?

A. No; not particularly.

Q. Did Mr. Haſtings never ſay any Thing to you relative to his Defence?

A. I drew a Part of the Defence upon this very Subject of the Preſents, by Mr. Haſtings's Deſire.

Q. When you drew up that Defence, you had a Knowledge of the Exiſtence of that Paper?

A. I had.

Q. Whether or no you had any other Power, at any other Time, or any other Direction, from Mr. Haſtings, relative to his Defence, either in India or afterwards, except that now ſtated by you?

A. I do not recollect that I ever had any Power or Inſtructions relative to Mr. Haſtings's Defence. I know that when I left India, I brought ſeveral Letters from Mr. Haſtings to different Gentlemen in England; and as his Conduct was very often the Subject of Enquiry, any Opportunity that I might have of explaining any Part of his Conduct, as far as that, if that could be called Inſtructions for his Defence, I have had Converſations with Mr. Haſtings.

Q. (*by Counſel*). You ſaid you ſent a Tranſlation of this Paper to Mr. Haſtings at Calcutta; whether it conſiſts with your Knowledge whether Mr. Haſtings did or did not receive the Letter containing that Tranſlation?

A. I do not know; for he never gave me any Anſwer to the Letter.

Q. (*by the Managers*). Had you any Reaſon to believe that Mr. Haſtings did not duly receive that Letter? How did you ſend it?

A. By the Dawk; by the Poſt.

Q. (*By a Lord*). I would aſk a Queſtion only for Explanation. What did you underſtand by

the Expreſſion you uſed; namely, when you offered to give the Paper to Major Scott you ſaid, you would give it, if it could be of any Uſe; of Uſe to whom?

A. To Mr. Haſtings.

Q. *(By a Manager)*. Whether, when you drew the Defence of Mr. Haſtings upon this Article, you believed that Mr. Haſtings was ignorant of what was reported againſt him in the Reports of the Select Committee?

The Counſel for the Defendant objected to the Queſtion.

Q. *(By a Manager)*. What Diſcourſe had you with Mr. Haſtings at the Time when you drew his Defence?

The Houſe informed the Managers for the Commons, that where a Perſon was employed by another to draw his Defence, it was not competent to aſk what Converſation paſſed between him and the Perſon who employed him.

Q. Did you receive any Inſtructions from Mr. Haſtings for his Defence, or draw it up from your own Knowledge upon the Subject?

A. I drew it up from ſuch Materials as Mr. Haſtings afforded me.

The Witneſs was directed to withdraw.

Then DALHOUSIE WATHERSTONE Eſquire was called in; and being ſworn, was examined as follows:

Q. Whether you are acquainted with the Perſian Language?

A. I have ſome Knowledge of it.

Q. Have you as good a Knowledge of the Perſian Language as is common with Perſons who are employed by the Company in tranſacting Affairs with the Natives?

A. I was employed as Perſian Tranſlator in India.

Then a Paper was ſhewn to the Witneſs, and he was aſked,

Q. Whether that Paper is not, to the beſt of your Knowledge and Belief, a Paper delivered to you by the Select Committee of the Houſe of Commons, and which they requeſted you to tranſlate?

A. I believe it is.

Then another Paper was ſhewn to the Witneſs, and he was aſked,

Q. Whether that Paper, purporting to be a Tranſlation of that Original, was not delivered at the ſame Time to you?

A. I think I was alſo ſhewn this Tranſlation.

Q. Whether the Committee did not requeſt you to make an accurate Tranſlation of that Perſian Original?

A. The Committee requeſted me to do ſo, and I did it to the beſt of my Knowledge.

Q. Is that the Tranſlation (ſhewing it the Witneſs)?

A. This is the Tranſlation, and it is in my own Hand Writing principally.

The Witneſs was directed to withdraw.

Then CHARLES WILLIAM BOUGHTON ROUS Eſquire was called in; and being ſworn, a Paper was ſhewn to him, and he was examined as follows:

Q. Pleaſe to look at that Paper: Was that Paper delivered to you by the Committee of which you was a Member, requeſting of you to aſſiſt Mr. Watherſtone in the Tranſlation of it?

A. I believe it is the ſame Paper.

Q. Did you reviſe that Tranſlation, and correct it with Accuracy, to the beſt of your Judgement?

A. Mr. Watherſtone ſhewed me the Tranſlation he had made, and I reviſed it as carefully as I poſſibly could.

Q. Is that the Tranſlation?

A. This is the Tranſlation, and has many Corrections in my Hand-writing, which were adopted by Mr. Watherſtone.

The Witneſs was directed to withdraw.

The

The Managers for the Commons deſired that the Tranſlation might be now read.

The Counſel for the Defendant objected to it.

The Houſe informed the Managers for the Commons it was impoſſible to read it without Conſent.

Then the Managers for the Commons ſtated, they would eſtabliſh Major Scott's Agency before they proceeded further to offer the Paper.

Major Scott called in again, and examined as follows:

Q. *(By the Managers)*. Whether Mr. Haſtings continued ignorant of the Exiſtence of this Letter after you had been appointed his Agent, and after you produced it to the Committee?

A. I am perfectly clear that I never, in any Letter to Mr. Haſtings, mentioned One ſingle Syllable relative to the Letter; I did not deem it of the ſlighteſt Conſequence or Importance; and I never had, directly or indirectly, Inſtructions from Mr. Haſtings relative to Munny Begum. I do not believe, in the Courſe of my Life in India, I ever heard Mr. Haſtings mention the Name of Munny Begum, but I am perfectly clear my Inſtructions went upon Matters totally and entirely different, and they are, I believe, now at my Banker's: I will take Care and have them To-morrow, and I have not the leaſt Objection to lay them before the Houſe; but I think I can ſatisfy the Managers that there is not One ſingle Syllable in them relative to Munny Begum.

Q. Whether you never did communicate to Mr. Haſtings any Thing relative to that Paper, after you had delivered it into the Committee?

A. I believe never, till within theſe few Days; while in India never, I am clear.

Q. Whether you was not examined relative to that Paper in the Year 1783 alſo?

A. I was; and that is the Period I particularly remember in the Year 1783; it was in January or February 1783, I believe.

Q. Do you know, or believe, that Mr. Haſtings ever received the Eleventh Report of the Select Committee?

A. I believe I ſent him that Report myſelf.

Q. Whether that Letter, with Obſervations upon it, is not annexed in the Appendix to the Eleventh Report?

A. Yes; but I never ſent Mr. Haſtings the Appendix; I ſent him the Report, as it was printed as a Pamphlet by Debrett; and I believe I accompanied it with ſome Obſervations of my own which I printed myſelf in reply to it.

Q. But I aſk, why, when you communicated the Eleventh Report to Mr. Haſtings, you did not alſo communicate the Appendix to him?

A. It is very poſſible I could not get Two Copies at the Time. The Appendix was not printed as a Pamphlet.

Q. *(by a Lord)*. Had you any Reaſon for not communicating it?

A. None; and I am not ſure that I did not.

Q. Do you know any Thing of Mr. Baber's preparing a Defence for Mr. Haſtings?

A. Yes; I believe I gave Mr. Baber the Materials myſelf.

Q. Did you, when you was preparing a Defence for Mr. Haſtings, take no Notice of ſuch a Letter?

A. No; and I rather believe at that Time I had not read the Letter through; it is a long Letter from Munny Begum, written in the Eaſtern Stile. I might have read Parts of it; but I am ſure I did not read it ſo as to leave any Impreſſion upon my Memory; nor at this Moment, if I was aſked about it, do I know the Contents of the Letter.

Q. Do you recollect whether you did, or did not, ſend the Appendix to the Eleventh Report to Mr. Haſtings?

A. Indeed I cannot recollect; if I could I would ſay ſo directly.

Then the Witneſs was directed to withdraw.

Then ROBERT HUDSON was called in, and examined as follows:

Q. Do you know whether a Copy of the Eleventh Report, with its Appendix, was or was not tranſmitted to Mr. Haſtings?

A. I do not.

Q. Have you inſpected the Books upon that Occaſion?
A. It appears by a Letter ſent to Bengal, that the Reports of the Select Committee were ſent; but how far, and whether they contained the Eleventh Report or not, does not appear.

Q. What was the Date of that Tranſmiſs?
A. The Tenth of September 1783.

Q. Was there any Tranſmiſs after that to Mr. Haſtings?
A. I believe not.

The Managers for the Commons ſtated, that they would poſtpone the Production of the Paper before offered till the full Powers of Major Scott's Agency ſhould be before the Houſe; and would now proceed to prove, that when Mr. Haſtings received the One Lack and a Half of Rupees for an Entertainment, he did at the ſame Time receive a large Sum of Money from the Company for his Expences during that Period, under the Name of Travelling Expences.

Then Mr. WRIGHT was called in; and being ſworn, was examined as follows:

Q. What is your Office in the India Houſe?
A. Auditor of Indian Accounts to the India Company.

Q. Whether or no you have examined into any Allowances made to Mr. Haſtings in the Year 1772, for any Account of Travelling or other contingent Charges?
A. I have.

Q. What have you found relative to that Subject?
A. There is a Sum advanced to the Governor, amounting to Thirty thouſand and odd Rupees, for Travelling Charges.

Q. When advanced?
A. In October and November 1772.

The Witneſs produced a Book, and proceeded as follows:

This Book is called the Caſh Account of the Honourable United Company trading to the Eaſt Indies, for November 1772.

Q. Where was that Book tranſmitted from?
A. From Bengal.—On the Credit Side in this Month is the following Entry:

" By Durbar Charges.
" Paid the Governor's travelling Charges Six Months, 14,335 5 6."
There is another Entry in the next Month's Account, December 1772.
" By Durbar Charges.
" Paid the Governor's travelling Charges for Six Months, from April to September, 17,014 4 9."

Q. Have you examined into the Expences allowed for the Charges of the Committee of Circuit?
A. I have.

Q. What do thoſe Charges amount to?
A. The Paper I have in my Hand contains an Abſtract of Expences taken from Books received from Bengal.

The ſame was delivered in.

" Charges of the Committee of Circuit in 1772-3. Extracted from Buxey's Books, &c.

" Under the Head of Travelling Charges.

June 1772.	Page 11.	Paid Account Governor, &c. Gentlemen of the Council, going to Kiſſenagore and Moorſhedabad Curr. Rs	8,818	7	6
Sept.——	Page 9.	Paid Governor, &c. Gentlemen Return from Moorſhedabad — — — — — —	123	12	3
Nov.——	Page 11.	Paid on Account of the Governor, &c. Gentlemen of the Council going to Kiſſenagore and Moorſhedabad	65	11	3
		Paid Mr. Goodlad's Bills, &c. &c. — —	831	9	6
		Carry forward	9,839	7	18

" Under

		Brought forward Curr. Rs.		9,839	7 18
	" Under the Head Charges Committee of Circuit.				
Nov. 1772.	Page 12. Paid Mr. Goodlad's Bill — — — —			876	15 6
Dec. ——	Page 10 and 11. Paid Mr. Stewart's, Rodrigue's, and Goodlad's Bills — — — — — —			8,846	9 —
	Page 15. Travelling Charges paid Meſſrs. Lawrell and Middleton, going to Moorſhedabad — — —			786	13 9
Feb. 1773.	Page 12. Paid Mr. Bogle's Bill — — — —			1,080	— —
Mar. ——	Page 10 and 11. Paid Mr. Graham, coming from Mirzapore, and their Paymaſter's Draft — — —			3,130	— 3
April ——	Page 7. Paid Account Committee's Travelling Charges — —			85,406	6 9
July ——	Page 7. Paid N. Parker's Bill — — — —			496	12 9
		Curr. Rs		1,10,463	2 6
	" From the Moorſhedabad Journal.				
	Under Profit and Loſs.				
Sept. 1772.	Page 12. Bearers, &c. ſent to the Committee	896	13 —		
	Mr. Middleton's Expences — —	432	1 5		
	Sicca Rupees	1,328	14 5 or C. Rs	1,541	8. 2
		Curr. Rs		1,12,004	10 8

Q. Whether Mr. Haſtings was not a Member of the Committee of Circuit?
A. It appears from the Records that he was.

Q. *(Croſs examined by Counſel)*. Whether you have a Reference to the particular Parts of the Accounts from which you ſpeak? Does that Paper furniſh you with References to the Books from which it is taken?
A. It does.—The Books are here.

Q. Who were the Members of the Committee of Circuit at the Time you are ſpeaking of, and was Mr. Haſtings for any, and what Time?
A. From the Proceedings of the Committee of Circuit it will appear Mr. Haſtings was preſent from June to September 1772.

Q. What is the Time compriſed in the Account delivered in?
A. From June 1772 to July 1773.

Q. Are both of thoſe Months incluſive?
A. There are Payments in each of thoſe Months.

Q. On what Day of the Month does the Firſt Payment appear to have been made?
A. It is not mentioned in the Books.

The Witneſs was directed to withdraw.

Then the Managers for the Commons ſtated, they would proceed further to prove the Receipt of the other Two Lacks of Rupees by Mr. Haſtings, for which Purpoſe they deſired a Conſultation of the 24th July 1775, might be read, containing a Repreſentation made by Rajah Goordaſs in the Preſence of Mr. Goring, and tranſmitted to the Board.

The Counſel for the Defendant objected to any Paper tranſmitted by Mr. Goring, upon the Ground before taken.

The Houſe informed the Managers for the Commons, that the Paper offered could not be read.

The Managers for the Commons ſtated, that they offered it to introduce Mr. Haſtings's Demeanour thereupon; namely, that he made no Objection to it when received, that he tranſmitted it to the Court of Directors, and that Rajah Goordaſs was afterwards appointed by Mr. Haſtings to an Office of Truſt, though he never had retracted the Charge made againſt Mr. Haſtings in the above Repreſentation.

The Counſel for the Defendant relied upon their Objection.

The Houſe informed the Managers for the Commons, that the Circumſtances ſtated were not ſufficient to make a Paper Evidence, which was not ſo in its own Nature.

The Managers for the Commons ſtated, That the Paper was already printed in the Appendix.

The Counſel for the Defendant contended, that it was nevertheleſs open to them to object to any Thing contained in the Appendix if objectionable, when it came to be applied as Evidence.

The Houſe obſerved, that when the Queſtion about reading Evidence originally came on, the Counſel for the Defendant objected that Parcel of a Writing could not be read without reading the Whole, upon the clear Rule of Law in that reſpect; and as it was underſtood that the Reſt might be material in ſubſequent Parts of the Accuſation and Defence, it was ſettled that the Whole of the Paper or Document, as far as it related to the Subject Matter in Queſtion (*a*), ſhould be introduced in an Appendix. It would not be conſidered therefore, that becauſe the Parties were not accurate enough to point out the objectionable Parts of the Evidence at the Time, that they ſhould afterwards be intirely precluded.

Then the Managers for the Commons propoſed to read the Appointment of Rajah Goordaſs before mentioned; but the Book not being at Hand the ſame was poſtponed.

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide ſupra, Page 419.

Die Jovis, 11° *Junii* 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons deſired Major Scott might be called.

MAJOR SCOTT was called in accordingly, and examined as follows:

Q. Have you got your Powers of Agency, with your Inſtructions?

A. The Inſtructions I have; my Power of Agency I have not got; it was ſent to the Company. I ſuppoſe my Inſtructions are what the Honourable Manager means. I have them.

Q. Was there any other Power of Agency beſides that which was laid before the Court of Directors?

A. No other, except the Inſtructions, which I have brought with me.

The Managers for the Commons deſired Major Scott might produce the Inſtructions.

The Witneſs was aſked by the Houſe, whether he had any Objection to producing the Inſtructions?

A. Not the leaſt.

Then a Paper was delivered in by the Witneſs, and read as follows:

" Fort William, 5th January 1781.

" To Major Scott.

" Sir,

" I hereby appoint you my Agent for the following Purpoſes, and for ſuch others as I ſhall hereafter recommend to you.

" 1ſt. I rely on your Friendſhip for your general Attention to ſuch Points as may in any Manner affect my Authority, or the Intereſt and Credit of my Adminiſtration; and on your Diligence in tranſmitting to me the moſt early and ſpeedy Intelligence of all Matters which it may be neceſſary for me to know for the Regulation of my publick Conduct.

" 2d. I requeſt and authoriſe you to publiſh any of the Tranſactions of this Government, the Knowledge and clear Explanation of which ſhall be neceſſary to the Vindication of my Character from any Attempts made to depreciate it; deſiring you to uſe the greateſt Caution that no Aſſertion, Opinion, or Argument eſcape you for which you have not a ſure Warrant, either in the Papers of your own Poſſeſſion, or in thoſe which are or may be in the Hands of Mr. Sulivan, or in your own Knowledge. As I wiſh to employ this Reſource only in Caſes of abſolute Neceſſity, being moſt unwilling to commit my Name or Actions defenſively to the publick Judgement, I deſire that you will take no Step of this Kind without conſulting Mr. Sulivan, or in the Event of his Abſence, Mr. Pechell; and I ſhall be obliged to you if you will put your own Name, with the Declaration of my Authority, to every ſuch Publication.

" 3d. Having experienced much Inconvenience and Doubt from the total Want of Intelligence of the Deſigns projected by the French Court againſt our Poſſeſſions in India, except in One ſingle Inſtance, with which you are acquainted, I deſire that you will endeavour to deviſe and eſtabliſh ſome authentic and permanent Means for obtaining ſuch Information, both at the Capital and at One of the principal Ports of France, and that you will tranſmit the ſame to me at large in the ſame Series and Form in which you ſhall yourſelf receive it, ſelecting and abſtracting the moſt material Points, whenever you find it neceſſary to write to me in Cypher.

" 4th. I deſire that you will alſo endeavour to eſtabliſh a permanent Line of Conveyance for Letters by Land, either by the Way of Suez, which I would prefer to all others if it ſhall be practicable, or by that of Baſſore, fixing the Stages and Agents in ſuch a Manner as you ſhall judge the moſt likely to prove expeditious and ſure, obſerving as much Frugality as ſuch an Arrangement will admit.

" 5th. For the Expence of the foregoing Commiſſions, and other Charges, which you may incur on my Account, I give you a Bill on my Attornies for the Sum of One thouſand Pounds Sterling, and authorize you to draw upon me for any further Amount.

" 6th. I give you Letters of Introduction to Lord North, and the Chairman of the Court of Directors, which I intend as official.

" You will either ſend or deliver them as you ſhall be adviſed, and make an Offer to both of ſuch Informations as you can give them of the State of this Government, and in Explanation of the general Line of Conduct and particular Meaſures purſued by it.

" Reſpecting my own Wiſhes, I have none, but that I may be allowed ſuch a Degree of Confidence and Power as may enable me to diſcharge the Duties of my Station with Effect, and to ſupport the Intereſts of the Company and the Britiſh Nation in India. My Place is not at this Time an Object of Envy to any Man who values either his Eaſe or Reputation. I will hold it while it is encumbered with ſuch Difficulties and Dangers as ſhall, in my Eſtimation of them, render it diſhonourable in me to abandon it; and while I am allowed to poſſeſs and exerciſe the Powers which are inherent in the Government itſelf.—But when the Safety of the Company's Poſſeſſions ſhall be ſo well ſecured as no longer to make it an Obligation of Honour and Fidelity to remain in the Adminiſtration of them, or whenever thoſe, under whoſe Authority I ſerve, ſhall either withdraw their Confidence from me, or diſtribute the Powers of this Government between me and others, in ſuch a Manner as to diſable me from employing them in eſſential Points, according to my own Judgement and Diſcretion, I ſhall, in either of theſe Caſes, conſider myſelf as acquitted from every Obligation to remain in the Service; but ſhall in every Caſe reſerve to myſelf the ſole Right of reſigning it, declaring that I will not entruſt any Man living with the Power of acting for me for ſuch a Purpoſe. Theſe Sentiments I deliver to you, that you may make them known without Reſerve, and in the moſt publick Manner, if there ſhall be an Occaſion for it.

" 7th. I deſire that you will conſult my valuable and moſt reſpectable Friend, Mr. Sulivan, on every Subject which ſhall have a Relation to my public Intereſt or Credit, and reſolve on no material Point without his Advice; and when you cannot have the Benefit of his Aſſiſtance, I recommend to you to obſerve the ſame Deference and Attention to Mr. Peehel, and General Caillaud, on whoſe Friendſhip and Judgement I place implicit Reliance, founded on a long Experience of both.

" I am,

Sir,

Your moſt affectionate Friend,

Warren Haſtings.

" P. S. I ſhall put into your immediate Poſſeſſion Copies of all our Proceedings, in a regular Series, which have a Relation to the Maratta War. Theſe, and all other Papers which I may hereafter have Occaſion to ſend to you, you will be ſo good as to keep apart, properly labelled, and return to me whenever we meet, if in England, as I may have Occaſion to employ them hereafter.

W. H."

Q. *(by the Managers)*. Are thoſe the original Inſtructions?

A. They are in Mr. Haſtings's Hand-writing, which he delivered to me, before I left Bengal; upon the Day of the Date of them.

Q. Whether Mr. Haſtings has other Agents in England beſides you, or had at that Time?

A. I do not believe that he had: He had an Agent in England, Colonel Macleane, who is dead.

Q. Was Major Fairfax his Agent?

A. Major Fairfax did not leave Bengal till a Year after me; and he was not Mr. Haſtings's Agent.

Q. Did you communicate with Mr. Sullivan when you preſented that Paper to the Committee?

A. I do not underſtand what Paper is meant.

Q. The Letter purporting to be a Letter from Munny Begum, together with the Tranſlation mentioned Yeſterday.

A. Certainly I did not, and for this Reaſon, that I deemed it of no Sort of Conſequence.

Q. If you deemed the Letter of no Conſequence, why did you preſent it to the Committee?

A. When I ſay I deemed it of no Sort of Conſequence, I mean as having a Reference to any Inſtructions received from Mr. Haſtings; and I ſhould conceive, with your Lordſhips Permiſſion, that it would be right to ſtate the Ground upon which I came to this Country as Agent for Mr. Haſtings, in order to ſhew that more clearly.——In the latter End of the Year 1780, the Situation of the Britiſh Government in India was very ſerious and alarming; we were involved in a War with the Mahrattas and with France, and a Dutch War was expected; juſt at that Period the Carnatic was invaded by Hyder Ali Khan.

The

The Managers for the Commons objected to the Witneſs going into Matter foreign to the Enquiry.

The Houſe obſerved, that the Witneſs was now offering to explain the Ground, about which a Doubt had been ſuggeſted, why it was proper for him to carry this Paper before the Committee, and that Credit muſt be given to him, that he would apply himſelf cloſely to the Matter of ſuch Explanation.

(Witneſs.)—I mean to be ſtrictly applicable to the Queſtion put to me by the Managers, not wiſhing to waſte the Time or divert the Attention of this Court with any Thing that is impertinent. In that Situation the Carnatic was invaded by Hyder Ali Khan, and by his firſt Operations near a Third of our Army was deſtroyed: At the ſame Period the Government of Bengal received Intelligence that a very conſiderable Armament was on its Way from France to the Coaſt of Coromandel.

The Managers for the Commons repeated their Objection.

The Houſe obſerved, that it was difficult to foreſee how the Terms of the Explanation, as hitherto ſtated, would conclude to the Point in Queſtion; but at the ſame Time, as it was not eaſy to lay down a Rule at the Commencement of an Undertaking of this Sort, by which a Witneſs ought to conduct himſelf afterwards, Credit muſt be given that he meant to bring it home ſome Way or other.

The Witneſs then proceeded, as follows:

A. Preciſely at that Period, Mr. Francis, a Gentleman who was a Member of the Supreme Council, had declared his Intention of proceeding to England. It had happened that ſome Months previous to this, I was a Sort of a Party in bringing about a Coalition between Mr. Haſtings and Mr. Francis; and at the Period when Mr. Francis expreſſed his Intention of going to England, I had quitted Mr. Haſtings's Family, and commanded a Battalion of Sepoys at Chunargur; from that Garriſon I wrote to Mr. Haſtings, and told him, that as Diſputes had been carried to ſo violent a Height between Mr. Francis and himſelf reſpecting the Mahratta War, I did conceive that Mr. Francis, returning to England, and ſpeaking of Events that had recently happened, ſhould be met by ſome Perſon or other on the Part of Mr. Haſtings: That as the Battalion I commanded would probably remain Two or Three Years in Garriſon, if there was no other Gentleman of his Family, or who had been in his Family, and was acquainted with the Tranſactions of India, whom he choſe to ſend, I offered myſelf for that Service. I ſoon after came to Calcutta, and embarked for England, on the Seventh or Ninth of January 1781, with theſe Inſtructions. But as I had not the moſt diſtant Idea then, nor at the Time I was examined by the Select Committee relative to this Buſineſs of Munny Begum, that any One Matter which had happened ſo early as the Year 1775, antecedent to Three ſeveral Appointments by the Legiſlature of Mr. Haſtings to be Governor General of Bengal, I certainly thought it quite unneceſſary to communicate upon any Subject of that Kind with Mr. Sullivan.

The Managers for the Commons ſtated, that the Witneſs had not anſwered the Queſtion laſt put to him, and deſired that the Two preceding Queſtions might be read.

The ſame were read accordingly.

Q. Did you communicate with Mr. Sullivan when you preſented that Paper to the Committee?

A. I do not underſtand what Paper is meant.

Q. The Letter purporting to be a Letter from Munny Begum, together with the Tranſlation mentioned Yeſterday?

A. Certainly I did not, and for this Reaſon, I deemed it of no Sort of Conſequence.

Q. If you deemed the Letter of no Conſequence, why did you preſent it to the Committee?

A. When I ſay, I deemed it of no Sort of Conſequence, I mean as having a Reference to any Inſtructions received from Mr. Haſtings; and I ſhould conceive, with your Lordſhips Permiſſion, it would be right to ſtate the Grounds on which I came to this Country as Agent to Mr. Haſtings, in order to ſhew that more clearly.—In the latter End of the Year 1780, &c. *(a)*

Q. *(by Managers)*. I deſire that the Witneſs will anſwer the Queſtion, Why he came to deliver that Paper to the Committee, when he thought it of no Conſequence?

A. I do not know how I can explain that without being thought guilty of ſomething or other impertinent to the Committee themſelves, in preſenting a Paper to them which I thought of no

(*a*) Vide ſupra, Page 1052.

Conſequence; it did not appear to me at the Time to be of any Conſequence. It was a Paper that I read in part at the Time Mr. Baber gave it me; I am ſure I did not read it through. They were examining Mr. Goring before the Committee at the Time. This Paper, as far as I read it, contained an Account of Mr. Goring having behaved in an oppreſſive Manner to her, and I brought it to the Committee without having read it through.

The Managers for the Commons deſired the Witneſs might give a direct Anſwer, why, thinking this Paper of no Conſequence, he delivered it to the Committee.

The Witneſs was aſked,

Q. Can you recollect any Inducement you had for communicating to the Committee a Paper which you thought of no Conſequence?

A. Indeed I cannot.

Q. Was it communicated to Mr. Pechell?

A. Mr. Pechell had died ſeveral Months before, or ſome Time before.

Q. Whether it was communicated to General Cailliaud?

A. No; he lived altogether in Oxfordſhire I believe; I very ſeldom ſaw him.

Q. Had you any, and what Diſcourſe with Mr. Baber at the Time?

A. Mr. Baber told me he had a very curious Paper, which he would give me to make uſe of if I pleaſed. I believe I mentioned Yeſterday the Diſcourſe I had with Mr. Baber, which was expreſſing my Aſtoniſhment and Surpriſe to him, that the Committee ſhould go upon that Enquiry.

Q. Why, as Mr. Baber conſidered it as a curious Paper, you conſidered it as a Paper of no Conſequence, not having read it?

A. I mean of no Conſequence as a Reference to the Inſtructions of Mr. Haſtings, which I conſidered as relating to great political Points, and not to ſuch a fooliſh Thing as this.

The Managers for the Commons objected to the Anſwer of the Witneſs as diſreſpectful, and deſired it might be read.

The ſame was read accordingly.

A. I mean of no conſequence as a Reference to the Inſtructions of Mr. Haſtings, which I conſidered as relating to great political Points, and not to ſuch a fooliſh Thing as this.

(*Witneſs.*) I hope your Lordſhips will indulge me a few Words in Explanation. I meant this fooliſh Paper of the Begum's Writing, not the Cauſe the Honourable Managers are engaged in.

Q. The Witneſs has ſaid, he thought this Paper of no Conſequence; he had not read it through, but he read far enough to ſee that there was a Charge againſt Mr. Goring, for oppreſſive Behaviour. Was that the Object for producing the Paper?

A. Not as meaning to criminate Mr. Goring, but to ſhew the Violence to which Party was carried at that Time. I looked upon Mr. Goring as an Agent employed by the Gentlemen who ſent him up.

Q. Whether you conceived, that if it appeared in that Paper, that Mr. Goring had uſed oppreſſive Conduct to the Begum, that it would not invalidate the Charge contained in it againſt Mr. Haſtings?

The Counſel for the Defendant objected, that what the Witneſs conceived at the Time he produced this Paper, was no Evidence againſt Mr. Haſtings.

The Managers for the Commons contended, that it was competent to them to put the Queſtion, and deſired an Anſwer.

Then the Queſtion was read by the Clerk.

Then the Houſe adjourned to the Chamber of Parliament.

The Lords being returned, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid: "Gentlemen, Managers for the Commons, and you, Gentlemen, who are of Counſel for the Defendant, the Lords have reſolved, That the Queſtion laſt propoſed by the Managers for the Commons, ought not to be put, and have directed me to acquaint you therewith."

Then

Then Major Scott was again called in, and aſked,

Q. Whether at the Time you produced this Paper, Mr. Goring was giving Evidence before the Committee?

A. I am not quite ſure, but I believe he was.

Q. Did you know the Effect of Mr. Goring's Evidence at that Time?

A. I believe I was preſent when Mr. Goring gave it.

The Counſel for the Defendant objected, that this was purſuing the Line which the Houſe had decided againſt.

Q. Did you hear that Evidence?

A. I did.

Q. Whether it was not with an Intention to invalidate that Evidence that you produced the Paper?

The Counſel for the Defendant objected, that the Intention of the Witneſs in producing the Paper could not affect the Defendant.

The Managers for the Commons ſtated, they ſhould ſhew that the Purpoſe for which Major Scott produced this Letter was authorized by the Defendant, and then the Contents would be admiſſible in Evidence againſt him. They would however poſtpone the Queſtion, for the preſent, and aſk,

Q. Whether Major Scott did not ſend a Copy of the Eleventh Report to Mr. Haſtings?

A. I believe I anſwered that Queſtion Yeſterday, that I did, at the latter End of the Year 1783, or the Beginning of 1784, when it was publiſhed, by one of the Ships of that Seaſon.

Q. Whether you do not know that the Circumſtance of your having delivered this Paper in to the Committee is ſtated in that Report?

A. In the Report it is ſtated, and treated with a Degree of Deriſion and Contempt.

The Counſel for the Defendant objected to the Witneſs being examined as to the Contents of the Report, and that the Original ought to be produced.

The Managers for the Commons offered to produce it if neceſſary.

The Counſel for the Defendant ſaid, that, to ſave Time, they would waive the Objection.

Q. Do you remember this Paſſage; "Your Committee examining Mr. Scott and Mr. Baber on this Subject, they alſo produced a Perſian Paper, which Mr. Baber ſaid he had received from the Hands of a Servant of Munny Begum, and along with it a Paper, purporting to be a Tranſlation into Engliſh of the Perſian Original?"

A. I do remember that Paſſage perfectly well.

Q. Do you know whether Mr. Haſtings received that Report?

A. I certainly do not.—And if I may be allowed to ſay, why I think it probable he did not, I will ſtate why. It could not poſſibly leave England earlier than the Month of January 1784. It was publiſhed as early as poſſible after the Commencement of that Seſſion of Parliament which met in November 1783.—Immediately after it was publiſhed by the Houſe of Commons, it was printed as a Pamphlet by a Bookſeller in Piccadilly, and ſent by him, I believe, to a great Number of your Lordſhips. I bought it, and ſent it to Mr. Haſtings.—It could not have arrived in Bengal before the Month of July or Auguſt 1784, when Mr. Haſtings was at Lucknow; and as it was a bulky Packet, I think it exceedingly probable, that it was not ſent to him from Calcutta to Lucknow.—Whether he received it I cannot tell, but I think the Chances are equal that he did not receive it.

Q. Did Mr. Haſtings return to Calcutta from Lucknow?

A. He did in the Month of November, and quitted India the following February; and I think he would have had too much to do then to read that Report—particularly as the Buſineſs appeared to be at an End by the Diſſolution of Parliament, and a total new Arrangement.—The Report was forgotten.

Q. I aſked, whether he received it; not whether he read it?

A. I cannot poſſibly tell.

Q. Whether you believe Mr. Haſtings received it?

The Counſel objected, that the Witneſs ought to be aſked as to his Knowledge of the Fact.

Q. (*by the Managers.*) Whether Mr. Haſtings ever blamed you for having exceeded your Powers in producing this Paper?

A. Never; and I believe it is only within theſe few Days that Mr. Haſtings ever mentioned the Circumſtance to me, or I to him; and I ſhould rather believe that he did not know it had been made Part of the Report; at leaſt I believe I did not ſend the Appendix; and it is in the Appendix.

Q. Whether you did not know that, previous to the Publication of the 11th Report, there is conſiderable Matter relative to this Tranſaction in the Appendix to the Ninth Report?

The Counſel for the Defendant objected, that the original Report itſelf ought to be produced.

Q. Whether you tranſmitted the Ninth Report to Mr. Haſtings?

A. I believe in the ſame Manner as I did the Eleventh; that alſo was tranſmitted as a Pamphlet.

Q. Are you ſure that you tranſmitted him the Ninth Report as a Pamphlet only, and not the Report as printed by the Houſe?

A. It is impoſſible for me to be ſure of it; but I believe I did not, becauſe it was eaſy to buy a Pamphlet, and not eaſy to procure a Copy of Parliamentary Reports with the Appendixes. I had a Difficulty to procure one for myſelf, and I believe I did not.

Q. Whether, having produced this Paper as you ſtate with regard to Mr. Goring, you knew or was informed that there was any Thing in the Body of that Paper which touched this Point, before you ſaw it in the public Report?

Queſtion objected to by the Counſel for the Defendant.

Q. Did you ſend out by the Ship by which you ſent the Eleventh Report, any other Letter to Mr. Haſtings?

A. By the ſame Ship that carried out this Pamphlet, purporting to be the Eleventh Report, I certainly ſent Mr. Haſtings a very particular and full Account of the Proceedings in Parliament then pending, relative to Mr. Fox's India Bill; that Subject certainly took up all my Attention, and I am certain that I never mentioned a Word of the Eleventh Report, but merely ſent it, for we were very buſy upon that Subject relative to the Company, and did not think of the Eleventh Report.

Q. Do you know whether Mr. Haſtings did or did not receive that Letter?

A. I know I had a Letter from Mr. Haſtings, dated at Lucknow, in the Month of June or July; and in that Letter, which came Over-land, he mentioned that he had received my Over-land Letters relative to the Progreſs of Mr. Fox's Bill in Parliament; that it had then been read a Second Time in the Houſe of Commons. I know that ſubſequent to that, I had a Letter, dated in the Month of September 1784, in which Mr. Haſtings ſays, "I have received a Variety of Letters from you, Originals, Duplicates, and Triplicates, up to the Period of the Diſſolution of Parliament," but without ſpecifying any Thing further.

Q. Whether Major Scott knows that Mr. Haſtings received the Letter tranſmitted to him by the ſame Ship which conveyed the Eleventh Report?

A. I have given an Anſwer already, that I had thoſe Two Letters; I ſuppoſe there were Thirty or Forty Letters, Originals, Duplicates, and Triplicates, which Mr. Haſtings, in that general Manner, acknowledges the Receipt of. I will not anſwer poſitively; but if your Lordſhips think it right, I will bring the Letter to prove the Fact. I do not believe that in any Letter I ſent Mr. Haſtings, I mentioned that I had ſent the Eleventh Report, becauſe at this Period Mr. Fox's Bill was in its Progreſs through the Houſe of Commons, and my Correſpondence with Mr. Haſtings was at that Time undoubtedly relative to the Danger the Eaſt India Company was in, and not himſelf.

Q. My Queſtion was, Whether you had not Reaſon to think, that the Letter you ſent by that Ship was received, aye or no? What Ship did you ſend it by?

A. That was in the Beginning of the Year 1784; we are now ſpeaking at the Middle of the Year 1789; I am ſure I cannot tell.

Q. Nor by any Note or Memorandum?

A. I will not ſay that; perhaps my Letter may be headed—"By the Ship Royal Charlotte," or any other.

Q. (*by*

Q. *(by a Lord)*. I wiſh to draw your Recollection as to the Subject of the Time of the Irruption of Hyder Ally into the Carnatic; becauſe, as it ſtands upon your Evidence, you are miſtaken. Can you recollect the Date of the Irruption of Hyder Ally into the Carnatic?

A. I believe it was in the latter End of July 1780.

Q. *(by a Lord)*. I underſtand you ſaid, that this Paper was not in your particular Inſtructions, and yet that you had never read the Paper through; by what Means did you know that it was not in your Inſtructions, as you had not read the Paper through—Did you, or did you not, know that the Papers did relate to your Inſtructions?

A. I certainly muſt know that it did not, and could not; becauſe I knew enough of the Paper from what I read, without reading it through, to know that it purported to be a Tranſlation of a Letter written by Munny Begum, complaining of Hardſhips ſhe ſuſtained by the Deputation of Mr. Goring, which took place in the Month of May 1775. My Inſtructions, as I conceived them, went entirely to great and important political Points that had recently happened, previous to my leaving India, in the Courſe of the Year 1780.

Q. Did you ſtate, whether your Inſtructions were limited in Point of Time?

A. The Inſtructions are before your Lordſhips, and will ſpeak for themſelves.

Q. *(by a Lord)*. Whether you had any other Character, in which you appeared before the Committee, except as Agent for Mr. Haſtings, and what Character?

A. I received a Summons from Time to Time from the Committee to attend them, which I did, and they examined me, I believe, in the Character of Mr. Haſtings's Agent. It depended upon them how they meant to conſider me, and I appeared in Obedience to their Summons, as any Engliſh Gentleman would of Courſe do, if ſummoned. They would give me what Character they pleaſed.

Q. *(by a Lord)*. Then having Two Characters there, that of an Agent, and that of a Gentleman at large, I wiſh to know in which of theſe Characters you produced theſe Papers.—Did you produce them as conceiving yourſelf merely as the Friend of Mr. Haſtings?

A. That Paper is marked on the Back, 'Produced by me on the 8th of May 1782.' There is not, in the Report, any Examination of me till 1783, and that is the Period that I ſpeak to, of 1783. I ſhould ſuppoſe I did not merely give them in to the Committee. If any Thing paſſed before the Committee, it muſt have been ſaid in Converſation, or ſome Way, but what was ſaid I don't recollect; my Examination was ſeveral Months ſubſequent to it. This I remember, that I brought them from Mr. Baber, and gave them in the next Day to the Committee.

Q. *(by a Lord)*. Then having read a Part of theſe Letters, did you deliver them in to the Committee in conſequence of any Thing you did ſee in the Part you did read? Upon what Account did you deliver that Paper in to the Committee?

A. I think I have already ſaid, the Begum's complaining of the Oppreſſion and the Injury ſhe ſuffered by the Deputation of Mr. Goring.

Q. That was upon the Part you had read?

A. It was. But whether I read it, or Mr. Baber read that Part of it to me, when he opened it, I don't recollect.

Q. *(by a Lord)*. You ſtated, as I underſtood, that you had produced the Paper to the Committee, thinking it of no Conſequence.—You was aſked, Why you produced it to the Committee thinking it of no Conſequence? I underſtood your Anſwer was, I cannot well anſwer that Queſtion without Incivility to the Committee—Now I want to know what you meant by that laſt Anſwer?

A. My Lords, what I am ſure I ſaid to Mr. Baber at the Time, the Impreſſion was then upon my Mind, and the Impreſſion upon my Mind now is this, that it was going again over a Subject that had become obſolete; and I mentioned it to Mr. Baber perhaps in a ludicrous Manner, and in an improper Manner perhaps when ſpeaking of a Committee of the Houſe of Commons; but the Court of Directors, having publiſhed all the Papers relative to Munny Begum in 1776, having had legal Advice upon it, and having totally dropped it; and Mr. Haſtings having Three ſeveral Times ſince that Period, been appointed by the Legiſlature Governor General of Bengal, I thought it extraordinary and ludicrous in the Committee taking the Matter up again; and probably I ſpoke in a Manner to Mr. Baber at the Time that was not proper to ſpeak of a Committee of the Houſe of Commons, thinking the Enquiry was of no conſequence at that Time.

Q. *(by Managers.)* Whether when you Firſt appeared before that Committee, you appeared as Agent to Mr. Haſtings?

A. I believe the Cauſe of my Firſt Appearance before the Committee was either a Note ſent by Sir Gilbert Elliot, or a Conference between Sir Gilbert Elliot and Mr. Pechell: Sir Gilbert Elliot either mentioned it, or wrote to General Smith, in conſequence of which I was ſummoned, and I believe the Firſt Queſtion put to me, drew an Anſwer from me which I wiſhed to give—that I did appear as Agent of Mr. Haſtings.

Q. Were

Q. Were you required to produce that Paper by the Committee, or did you produce it of your own Head?

A. I ſhould rather think I produced it of myſelf.

Q. Did you ever give Notice to the Committee at any Time when you appeared before them, that you did not appear as the Agent of Mr. Haſtings.

A. Never, never; I had no Idea of it.

The Witneſs was directed to withdraw.

Then the Managers for the Commons deſired that the general Powers of Major Scott, as Mr. Haſtings's Agent, might be read.

The ſame was read from the printed Minutes of the Evidence, Page 570, as follows:

" To the Chairman of the Court of Directors.

" Sir,

" Having thought proper to appoint an Agent at home for the Purpoſe of attending to my political Intereſts, and managing all my public Concerns, I take this Opportunity of acquainting you, that I have ſelected Major Scott for this Service, and have furniſhed him with ſuitable Inſtructions; and as this Gentleman is poſſeſſed of every neceſſary Information relative to the State of this Government, he will be ready to communicate with you on all Matters wherein you may think it proper to aſk his Opinion.

" It is material to me to make one Obſervation—that, in my Inſtructions to Major Scott, I have particularly provided that I will ſuffer no Perſon whatever to perform any Act in my Name, that ſhall be conſtrued to imply a Reſignation of my Authority; proteſting againſt the Exerciſe of ſo dangerous a Power, from its having been aſſumed, upon a former Occaſion, without being warranted by my Conſent, or by any previous Inſtructions that could bear the moſt diſtant Tendency to ſuch a Meaſure.

" I have the Honour to be,
Sir,
Your moſt obedient and moſt humble Servant,
Warren Haſtings."

" Fort William,
Jan. 6, 1781.

The Managers for the Commons ſtated, that having proved that the Tranſlation of the Munny Begum's Narrative was ſent to the Defendant at Calcutta, incloſed in a Letter from Mr. Baber by the Dawke or Poſt, the legal Preſumption was, that ſuch Letter and Tranſlation were received by the Defendant—that they had accordingly given him Notice to produce the Tranſlation, and, as he had not done ſo, they were now entitled to read the Copy already in their Poſſeſſion.

The Counſel for the Defendant objected, 1ſt, That this was an inſufficient Proof of the Receipt of the Letter and Tranſlation by the Defendant; and 2dly, That there was no Demeanour of the Defendant in Proof to ſhew he adopted the Contents of the Paper, if he did receive it.

The Managers for the Commons ſtated, that the Demeanour they reſted upon was, that the Defendant had ſuppreſſed the Paper in queſtion both from the Supreme Council and from the Court of Directors: And they further ſtated, that having proved the Agency of Major Scott, and his Delivery of the original Perſian Paper, and a Copy of the Tranſlation which had been ſent to the Defendant, to the Select Committee, he alſo acknowledging that he never appeared in any other Character than as Agent to the Defendant before the ſame Committee, on theſe Grounds, they were now entitled to have the Paper read.

Then Major Scott was again called in, by Deſire of a Lord, and aſked,

Q. *(by a Lord)*. You have ſaid, that you did not conceive that the Paper had any Thing to do with Mr. Haſtings?

A. I do not recollect that I have.

Q. Did not you know, when you delivered in any Paper, whether favourable to Mr. Haſtings or not, that it was binding upon your Principal, even though you might not be acquainted with the Contents of it.

A. I do not believe I thought any Thing about the Matter.

Q. (*by*

Q. *(by a Lord)*. Whether Mr. Haſtings ever found Fault with you for producing that Paper?

A. I cannot tell whether Mr. Haſtings ever knew that I did produce it, till a few Days ago, when we were talking about it, and then he did not find Fault with it.

The Witneſs was directed to withdraw.

The Counſel for the Defendant inſiſted on their Objection.

Then Major Scott was again called in, by Deſire of the Managers, and aſked,

Q. *(by Managers)*. Did you ever produce to that Committee any Inſtructions limiting your Commiſſion?

A. When I came before the Committee I brought that Paper which has been read at large, and one ſhort Extract I read from that Paper which is entered upon the Minutes of the Committee.

Q. Was any Thing elſe read to the Committee beſides that Extract?

A. No, not from thoſe Inſtructions.

The Witneſs was directed to withdraw.

Then the Managers for the Commons deſired that the Paper might be read upon the Grounds before-mentioned, and more eſpecially, as by the Evidence juſt given by the Witneſs, it appeared that the Defendant had never found any Fault with the Witneſs for delivering the ſaid Paper to the Select Committee.

Then the Inſtructions given to Major Scott by the Defendant were again read by Direction of the Houſe. (*a*)

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide ſupra, Page 1051.

Die Mercurii, 17° Junii 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Houſe of Commons, and you, Gentlemen, who are of Counſel for the Defendant, the Lords have reſolved, That the Perſian Paper, purporting to be a Letter from the Munny Begum, and the Tranſlation of the ſame, offered in Evidence by the Managers for the Houſe of Commons, ought not to be read.—Gentlemen of the Houſe of Commons, you may proceed to make good your Charge."

The Managers for the Commons ſtated, that the next Body of Evidence they ſhould produce related to the Re-appointment of Munny Begum and Rajah Goordaſs by Mr. Haſtings to the Employments from whence they had formerly been removed by a Majority of the Board, and which Removal had been ſanctioned by the Court of Directors, notwithſtanding Mr. Haſtings well knew that they had produced public official Accounts, charging him, in the Whole, with the Receipt of Three Lacks and a Half of Rupees.

Read, from Book 77 already delivered, the following Extract of a Conſultation of the 11th May 1778, beginning at Page 231 of the ſame Book.

" Fort William, 11th May 1778.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Richd. Barwell, Philip Francis, Edward Wheler, } Eſquires.

Secret Dept. Monday.

" The Proceedings of the 4th inſtant read and approved.
" Conſidered the Governor General's Motion made at the laſt Meeting.
" Read the Nabob Mobareck ul Dowlah's Letter entered in that Conſultation.
" Mr. Wheler delivers in his Opinion on this Subject as follows:

" Fort William, 6th May 1778.

Mr. Wheler's Minute on the Nabob Mobareck ul Dowlah's Letter.

" Mr. Wheler.—Having already given my Opinion on the Nabob Mobaruk ul Dowlah's Requeſt to be declared of Age, and on the ſeveral Requiſitions made by him in his Letter, received the 12th of February, and recorded in Conſultation 23d, and declared that for many Reaſons I think a Queſtion of ſo much Importance ought to be referred to the Honourable the Court of Directors for their Deciſion; it becomes, in a great Meaſure, unneceſſary for me to enter into any further Diſcuſſion of the preſent Queſtion, at leaſt ſo far as regards the Nabob's Rights as Nazim; but I muſt confeſs my Surpriſe to ſee a Letter from him produced at this Board, in which he aſſumes a Right to diſpoſe of the Company's Money to his own Family, and appoints People to Offices whoſe Conduct may affect the Welfare of all the Inhabitants of theſe Provinces, and whoſe Salary is to be paid by the Company, and this without the leaſt Interference on our Part, or adviſing with this Board, in whom the governing, ordering, and managing the Territorial Revenue, and conſequently the Care and Protection of the Inhabitants of theſe Provinces, is veſted by Law, whether ſuch Perſons are fit for the high Truſt to which he has appointed them, and whether their Appointment meets with our Approbation.

" The 2,40,000 Rupees allowed to Mahomed Reza Khan, and which the Nabob has thus diſpoſed of, is Part of Three Lacks of Rupees per Annum, ordered by the Company for the Support of a Political Miniſter of the Circar, whom they direct ſhall be recommended by us to the Nabob; and this having already been done in the Perſon of Mahomed

Reza Khan, his Appointment confirmed by the Nabob, and ſince reported to, and approved by the Company, I ſee no reaſonable Ground, at preſent, for removing him, to ſubſtitute other Perſons.

" Munny Begum and Baboo Begum have already ample Allowances from the Nabob's Stipend, as Part of his Family, and I ſee no Cauſe, either from their Circumſtances or Situation, that requires our diſpoſing of the Company's Property to them.

" On the above Grounds, I diſſent to the Motion made by the Governor General, viz. that the Board do agree to comply with the Requiſitions contained in the Nabob Mobaruk ul Dowlah's Letter now before the Board.

" Mr. Francis alſo delivers in his Opinion as follows :

7th May 1778.

" Mr. Francis.—By the Governor General's Letters to the Nabob, and to Mahomed Reza Cawn, of the 7th March, it appears, that the latter was diſmiſſed from his ſeveral Offices, becauſe the Nabob was arrived at Years of Maturity; in conſideration of which, the Board reſolved to place the Controul of his Houſhold, and of the Courts dependent on the Nizamut and Fouzdarry, in his own Hands. He now deſires that another Naib may be appointed to execute theſe Offices; and ſo far is he from thinking himſelf capable of conducting the Buſineſs of the Nizamut, that he even deſires the Aſſiſtance of Rajah Goordaſs to manage his Houſehold. On this Propoſal I ſhall only obſerve, that if Naibs are neceſſary, the Reaſon aſſigned for removing Mahomed Reza Cawn is groundleſs, and uſed only as a Pretence for carrying that Point.

" The Nabob is alſo pleaſed to recommend, that out of Mahomed Reza Cawn's Salary, 72,000 Rupees a Year ſhall be given to Munny Begum, on account of her great Expences; and 36,000 to his Mother, who is ſaid to be ſtraitened in her Allowances. Theſe Ladies are liberally provided for already; but the Nabob may increaſe their Allowances, if he thinks proper. He has no Right to exerciſe his Bounty at the Company's Expence.

" Not content with diſtributing the Whole of Mahomed Reza Cawn's Salary among theſe Perſons, he deſires that the Company will add 18,000 Rupees more to it, in order that there may be no Failure in his own Income. Whatever may be the Fate of the other Arrangements propoſed in this Letter, I hope the Board will not conſent to purchaſe the Removal of Mahomed Reza Cawn with any additional Expence to the Company. As Truſtees to the Company we have no diſcretionary Power to give away their Property.

" The propoſed Allotment of the Salary itſelf, without any Addition to it, is liable to a very weighty Objection. By the Company's General Letter of the 28th Auguſt 1771, the annual Sum of Three Lacks, of which the above Salary makes a Part, was expreſsly appropriated to the Support of a Miniſter who ſhould be appointed to tranſact the political Affairs of the Sircar. It is the Salary which the Company intended for the Miniſter of the Country Government. It is the Company's Property, and the Nabob has nothing to do with it. When they hear it is no longer applied to the Uſe for which it was granted, they will naturally conclude, that it has been made a Saving in their Treaſury. They will never think it poſſible, until Advice of the Reſolution of this Day ſhall reach them, that the Salary which they had granted and appropriated to the Support of a Miniſter of the Government, ſhould be taken from a Man, whoſe Appointment to that Station they had expreſsly approved of, and divided among Two old Women, an old Man, whom they had never heard of, and the Son of Nundcomar.

" I hope theſe Conſiderations will have Weight with the Board; if not, I have done my Duty, and am ſatisfied the Company will think ſo.

" Mr. Barwell.—I aſſent to the Governor General's Motion.

" Reſolved, That the Nabob's Requiſitions, which are as follow, be complied with.

" That Sudder ul Huck Cawn and Raja Goordaſs be directed to repair to Moorſhedabad to receive Charge of the Offices intended for them by the Nabob Mobarek ul Dowlah, and to be inveſted with Khelauts on the Occaſion of their Appointment.

" That Sudder ul Huck Cawn be allowed 6,500 per Menſem, or 78,000 Rupees per Annum, out of the Salary of 2,40,000 per Annum, lately annexed to the Station of Naib Souba. That Raja Goordaſs be allowed 6,000 Rupees per Menſem, or 72,000 Rupees per Annum, from the ſame Fund. That an Allowance of 6,000 Rupees per Menſem, or 72,000 Rupees per Annum, be made to Munny Begum from the ſame Fund for the Support of her Expences. That an Allowance of 3,000 Rupees per Menſem, or 36,000 Rupees per Annum, be alſo made to the Nabob's Mother, the Baboo Begum, from the ſame Fund; but as this Fund will be inſufficient to defray all the above Charges:

" Reſolved, That 1,500 Rupees per Menſem, or 18,000 Rupees per Annum, be added thereto.

" Ordered, That theſe Reſolutions be notified to the Chief and Council at Moorſhedabad, and to the Reſident at the Durbar; and that the Governor General be requeſted to reply accordingly to the Nabob's Letter.——The following Letters are accordingly written to the Reſident at the Durbar, and to the Chief and Council at Moorſhedabad.

" To

" To Mr. B. Martin.

" Sir,

" We encloſe, for your Information, Copy of a Letter, which we received from the Nabob Mobarek ul Dowla, and which we thought proper, in Conſultation of 5th May laſt, to comply with.

" The Nabob having propoſed to us ſundry Regulations conſequent to the Removal of Mahomed Reza Cawn from the Office of Naib Suba, we alſo encloſe a Copy of this Letter, with our Reſolutions upon it of this Day; in Conformity to which, we direct that you apply for the annual Sum of 2,58,000 Rupees, from the Chief and Council at Moorſhedabad, in lieu of the Salary lately paid to Mahomed Reza Cawn, and iſſue the ſame in the Proportions allotted to the different Perſons mentioned by the Nabob.

" We are, &c.

Signed at the End of the Conſultation,

" Fort William,
11th May 1778.

" Warren Haſtings,
Rich[d] Barwell,
P. Francis,
Edw. Wheler."

To ſhew the Sentiments of the Court of Directors upon the above mentioned Proceedings,

Read, from Book 44 already delivered in, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Calcutta, dated 4th February 1779.

Par. 8. " We by no Means approve your late Proceedings, on the Application of the Nabob Mobareck ul Dowlah, for the Removal of the Naib Subahdar. The Requiſition of Mobareck ul Dowlah was improper and unfriendly; becauſe he muſt have known, that the late Appointment of Mahomed Reza Khân to the Office of Naib Subahdar, had been marked with the Company's ſpecial Approbation, and that the Court of Directors had aſſured him of their Favour, ſo long as a firm Attachment to the Company's Intereſt, and a proper Diſcharge of the Duties of his Station, ſhould render him worthy of their Protection. We therefore repeat our Declaration, that to require the Diſmiſſion of a Prime Miniſter thus circumſtanced, without producing the ſmalleſt Proof of his Infidelity to the Company, or venturing to charge him with one Inſtance of Mal-adminiſtration in the Diſcharge of his public Duty, was improper, and inconſiſtent with the Friendſhip ſubſiſting between the Nabob of Bengal and the Company. Bengal. Mahomed Reza Khan.

9. " Admitting the Nabob's Complaint, that Mahomed Reza Khân is not connected with him by relative Ties, to be well founded, it by no Means follows that he has been deficient in Duty, or ſincere Attachment to him, or that his Power is oppreſſive and diſhonourable to the Nabob and his Family; nor can Aſſertions of this Nature, unattended by Proof, have any Weight with us.

10. " In regard to the Nabob's Claim, to take Charge of his own Affairs, merely becauſe he is of Age, and thinks himſelf capable of conducting them, we find it declared by one of your Members, and not contradicted, that he knew with Certainty, that the Nabob is in his own Perſon utterly incapable of executing any of thoſe Offices which were deemed of eſſential Importance to the Welfare of the Country; and we are ſorry to find, that neither this Declaration, nor the Proteſts of Two Members of the Council, ſeem to have been thought worthy of an Anſwer, or even of Conſideration by the Majority of the Board.

11. " The Nabob hopes, from your Favour and Regard to Juſtice, to be delivered from the Authority of Mahomed Reza Khân. He ventures to declare the Company ſolely indebted to the warm Support of his Anceſtors for their preſent Greatneſs and Advantages. He claims the Management and Adminiſtration of the Soubahdarrie as his Right, and ſays it will be highly inequitable in the Company to refuſe their Approbation to his Requeſt.

12. " We paſs over theſe extraordinary Suggeſtions of the Nabob without Reply; only obſerving, that in Juſtice to him and ourſelves, we muſt take the beſt Care in our Power of the Peace and internal good Government of the Country; and we are not diſpoſed to hazard the Effects which might be occaſioned by committing the entire Management thereof to his Inexperience, without enjoining him to accept ſuch Aſſiſtance, and to employ ſuch Miniſters about his Perſon, as may be deemed neceſſary on the Part of the Eaſt India Company.

13. " The 23d February, we find the Nabob's Letter, and a Queſtion thereon, were circulated to the different Members of the Board, for their Opinions, to be taken at the next Meeting of Council; which Meeting happened on the 2d of March, but One of the Members being indiſpoſed did not attend at that Board.

14. " We have carefully noticed your Debates on the Subject. The Reſolution of Council of that Day, 'That the Nabob's Letter ſhould be referred to the Deciſion of the Court of Directors, and Approved in Com. 4 Feb. 1779.

and that no Reſolution ſhould be taken in Bengal on his Requiſitions, without our ſpecial Orders and Inſtructions,' appears to us very proper; we muſt therefore expreſs our Diſapprobation on finding the ſaid Reſolution reſcinded, on the frivolous Pleas urged by the Majority of the Board Three Days afterwards.

15. " If the Abſence of a Member of Council were ſufficient to preclude the Diſcuſſion of any Subject, which might have been referred for Conſideration by a former Board, or to invalidate Reſolutions taken during ſuch Abſence, it would be in the Power of any Member effectually to defeat the Ends propoſed by the Inſtitution of a Council, and to put a total Stop to publick Buſineſs whenever he thinks proper. We ſhall not waſte Time in refuting Claims of Privilege advanced on this Occaſion, becauſe they appear to us unworthy of Conſideration, and beneath all Argument.

16. " The Nabob having intimated, that he had repeatedly ſtated the Trouble and Uneaſineſs which he had ſuffered from the Naibſhip of the Nizamut being veſted in Mahommed Reza Khân, we obſerve One of the Members of your Board deſired the Nabob's repeated Letters on the Subject might be read; but this reaſonable Requeſt was over-ruled, on a Plea of ſaving the Board's Time, which we can by no Means admit as a ſufficient Objection.

Approved in Com. 4 Feb. 1779.

17. " The Nabob's Letters of the 25th and 30th of Auguſt, of the 3d of September and 17th of November, leave us no Doubt of the true Deſign of this extraordinary Buſineſs being to bring forward Munny Begum, and again to inveſt her with improper Power and Influence, notwithſtanding our former Declaration, that ſo great a Part of the Nabob's Allowance had been embezzled or miſapplied under her Superintendance.

18. " Inſtead of your declaring that the Nabob's Demands were grounded on poſitive Rights, which will not admit of Diſcuſſion, that the Nizamut is his Inheritance; that the Dependants of the Nizamut, Adawlut, and Foujedary appertain to that Inheritance; that as he is pleaſed to demand and aſſert the poſitive Rights of his Office, as Nazim of the Provinces, there is no Ground for denying his Requeſt; and that a Reference to the Company would be an Evaſion, unbecoming the Honour of Government; the Nabob might have been reminded, that a Naib Subadar was appointed, and the Office continued without Interruption or Objection during the Government of his Anceſtors, who muſt have been ſuppoſed more capable of governing the Provinces than a Youth of Twenty Years of Age.

19. " You have requeſted this inexperienced young Man to permit all the preſent Judges and Officers of the Nizamut, and Foujedarry, Adawlets or Courts of Criminal Juſtice, and alſo all the Foujedars, or Officers appointed to guard the Peace of the Country, to continue in Office until he, the Nabob, ſhall have formed a Plan for a new Arrangement of thoſe Officers; and it is with equal Surprize and Concern that we obſerve this Requeſt introduced, and the Nabob's oſtenſible Rights ſo ſolemnly aſſerted at this Period by our Governor General, becauſe on a late Occaſion, to ſerve a very different Purpoſe, he has not ſcrupled to declare it as viſible as the Light of the Sun, that the Nabob is a mere Pageant, and without even the Shadow of Authority. No Circumſtance has happened ſince that Declaration was made, to render the Nabob more independent, nor to give him any additional Degree of Power or Conſequence; you muſt therefore have been well apprized, that your late Conceſſions to Mobareck ul Dowlah were unneceſſary, and as ſuch unwarrantable.

20. " As we deem it for the Welfare of the Country that the Office of Naib Subahdar be for the preſent continued, and that this high Office ſhould be filled by a Perſon of Wiſdom, Experience, and of approved Fidelity to the Company; and as we have no Reaſon to alter the Opinion given of Mahomed Reza Khân, in our Letter of the 24th of December 1776, we poſitively direct, that you forthwith ſignify to the Nabob Mobareck ul Dowlah, our Pleaſure, that Mahomed Reza Khan be immediately reſtored to the Office of Naib Subadar; and we further direct, that Mahamed Reza Khan be again aſſured of the Continuance of our Favour, ſo long as a firm Attachment to the Intereſt of the Company, and a proper Diſcharge of the Duties of his Station, ſhall render him worthy of our Protection.

" We are,
Your affectionate Friends,

" London, 4th February 1779.

John Michie,	G. Wombwell,
Sam[l] Peach,	W[m] James,
Tho[s] Cheap,	J. Purling,
John Roberts,	George Tatem,
Jn[o] Woodhouſe,	W[m] Mills jun[r],
H. Fletcher,	Rob[t] Gregory,
Ben. Booth,	John Smith,
W. Devaynes,	Rich[d] Becher,

Joſeph Sparkes."

" App[d]. in Com.
4th Feb. 1779."

Then

Then the Managers for the Commons offered to produce certain public official Accounts of the Nizamut and Bhela, under the Seal of the Bhegum, atteſted alſo by the Nabob, and tranſmitted by Mr. Goring to the Board of Council at Calcutta, received by them, recorded without Objection on the Part of Mr. Haſtings, and tranſmitted by him, likewiſe without Objection, to the Court of Directors, ſtating, that they contained an Account delivered by the Munny Begum of One Lack and a Half of Rupees, and alſo an Account by Rajah Gourdaſs of Two Lacks of Rupees, given to Mr. Haſtings; and contending that the Fact of Mr. Haſtings having re-appointed the Munny Begum and Rajah Gourdaſs to their reſpective Offices, under the above Circumſtances, was a ſufficient Ground to entitle them to read the ſaid Accounts.

The ſame was objected to by the Counſel for the Defendant.

The Managers being heard, in Anſwer to the Objection made, and the Counſel in Reply,

The Houſe adjourned to the Chamber of Parliament.

Die Mercurii, 24° *Junii* 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Houſe of Commons, and you, Gentlemen, who are of Counſel for the Defendant, the Lords have reſolved, That the Accounts laſt offered in Evidence by the Managers for the Commons, ought not to be read.—Gentlemen, Managers for the Houſe of Commons, you may proceed to make good your Charge."

Then it being propoſed by a Lord to put a Queſtion to the Judges in Weſtminſter Hall,

The Houſe adjourned to the Chamber of Parliament.

Die Martis, 30° *Junii* 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons acquainted the Houſe, that they would next proceed to read a Letter from Mr. Goring to the Board of Council at Calcutta, dated the 29th of June 1775, from Page 391 of the printed Appendix to the Minutes, upon the Ground that the Houſe having received the Paper, and having entered it as read, they had a Right to read any Part of it.

The ſame was objected to by the Counſel for the Defendant.

The Managers for the Commons being heard in Anſwer to the Objection made, and the Counſel in Reply,

The Houſe adjourned to the Chamber of Parliament.

The Lords being returned, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Commons, and you, Gentlemen, who are of Counſel for the Defendant, the Lords have reſolved, and have commanded me to acquaint you, ' That the Houſe, upon Examination, finds that the Statement of the Fact, as ' made by the Managers for the Commons, is inaccurate; inaſmuch as the Papers ' printed in the Appendix, over and above what were actually read, have never been read,

' or entered by the Houſe as read :' And they have further directed me to communicate to you the Reſolution of the Houſe of the 22d of April 1788; viz.

' *Die Martis*, 22° *Aprilis* 1788.

' Ordered, That the written Evidence which ſhall hereafter be produced upon the ' Trial of Warren Haſtings Eſquire, and actually read, ſhall (together with the Parol ' Evidence) be printed in the Order in which the ſame ſhall have been ſo read; and ' whenever a Part only of any Conſultation, Paper, or Document, ſhall be actually ' read, that the Whole of ſuch Conſultation, Paper, or Document, as far as the ſame ' ſhall relate to the Matter of the Evidence ſo actually read, ſhall be printed in an ' Appendix to the Evidence upon ſuch reſpective Charge.'

" Gentlemen, Managers for the Commons, you may proceed to make good your Charge."

The Managers for the Commons acquainted the Houſe, that they now propoſed to read the before mentioned Letter of Mr. Goring, bearing Date the 29th of June 1775, upon the ſingle Ground of its being printed in the Appendix to the Minutes of Evidence upon the Sixth Article of Charge.

Whereupon the Houſe adjourned to the Chamber of Parliament.

The Lords being returned, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Commons, and you, Gentlemen, who are of Counſel for the Defendant, the Lords have reſolved, ' That no Paper ought to be read merely ' becauſe it is printed in the Appendix; and therefore, that the Letter of Mr. Goring ' of the 29th of June 1775, laſt offered in Evidence by the Managers for the Commons, ' ought not upon that Account to be read.'—Gentlemen, Managers for the Commons, you may proceed to make good your Charge.

The Managers for the Commons acquainted the Houſe, they would next proceed to ſhew Mr. Haſtings's Conſent, that the Attention of the Court of Directors ſhould be particularly drawn to the whole Body of Evidence relative to the Enquiry inſtituted by the Board under the Commiſſion given to Mr. Goring.

Read, from Book 11, already delivered in, the following Extract of a Conſultation of the 31ſt July 1775, beginning at Page 704 of the ſame Book.

" The Board being aſſembled to read the Draft of a General Letter prepared to be ſent to the Honourable the Court of Directors, by the Northumberland, it is accordingly read.

" Mr. Barwell propoſes, in order to prevent the Company's being miſled by any partial Selection of Papers which relate to any Member of this Board, more particularly to the Governor General, that the whole Subject and Matter of Mr. Goring's Commiſſion, his Mode of Proceedure in the Execution of it, all that has paſſed upon his different Repreſentations to the Board, the Obſervations thereon, and Inſtructions in conſequence, be inſerted in the Body of the General Letter; or, to ſave unneceſſary Trouble, that a Reference, in the uſual Form, be made to the Proceedings on which they are entered; for theſe Reaſons he moves for the following Amendment: " For what has paſſed " till this Time in that Buſineſs, and for Mr. Goring's different Reports in his Correſpondence, " we beg Leave to refer to the Conſultations in which they are recorded, as noted in the " Margin."

" Mr. Francis.—I think that whatever Letters or Intelligence from Mr. Goring have been followed with Orders or Reſolutions of this Board, ſhould be mentioned in the General Letter; and this, I preſume, was the Rule obſerved by the Secretary in drawing up the Paragraph in the Draft. Mr. Goring's other Letters may be generally referred to in the Conſultation, unleſs any of them contain Facts which any Member of the Board may think deſerving of any particular Notice; I ſhall not object to the mention of any ſuch Facts. This Opinion includes a Negative to Mr. Barwell's Motion.

" Mr. Barwell's Opinion is comprized in the Motion.

" Coloñel Monſon.—The Secretary has drawn up this Paragraph from the Proceedings agreeable to the uſual Cuſtom, therefore I think it ſhould ſtand a Part of the Letter. If there are any other of Mr. Goring's Letters which refer to any particular Circumſtance, I have no Objection to its being particularly noticed in the Letter; but if there are no ſuch Circumſtances, I think it unneceſſary to ſwell the Letter with the Whole of Mr. Goring's Correſpondence. I therefore am againſt Mr. Barwell's Motion.

" General Clavering.—It appears to me, that the Amendment propoſed by Mr. Barwell to the Draft drawn out by the Secretary ſhould not be adhered to. A Reference was made by this Board to the Begum on the Subject of the Charge of having given Three Lacks of Rupees to the Governor General and Mr. Middleton; and as her Anſwers of Exculpation accompany the Charge, I think it a fair Statement of Facts, and ought to be inſerted in the General Letter for the Information of the Court of Directors, and the King's Miniſters.

" The Governor General.—I have no Objection to the Mention of this Fact in the General Letter; I object to its being ſelected from many other Points, of equal Importance, which appear on the Proceedings reſpecting Mr. Goring's Appointment and Conduct in the Execution of it, becauſe it may miſlead thoſe by whom the General Letter may be read into the Belief that nothing elſe worth noticing is contained in them. The Majority having formed their Reſolution, and it depending on them to word the Letter in what Manner they think proper, I take this Occaſion to ſignify my earneſt Requeſt to the Honourable the Court of Directors, that they will be pleaſed to read the Whole of the Proceedings which have any Relation to this Subject, or to any other which have been Matters of Controverſy between myſelf and the Board. I hope I ſhall not be thought to depart from the Reſpect which I owe to my Employers in ſuppoſing this Petition neceſſary, or that in the midſt of ſo many important Objects as occupy their Time and Attention, they may not read or advert to every Minute which is recorded in the voluminous Books of our Conſultations, unleſs they are pointed out as meriting their particular Obſervation: And I requeſt that theſe Debates may be tranſmitted a Number in the Packet.

" Agreed, that the Paragraph in the General Letter remain as drawn up by the Secretary.

" Ordered, That the Proceedings of this Day's Council be ſent in the Packet to the Court of Directors.

Signed (at the End of the Conſultation)
Warren Haſtings,
J. Clavering,
Geo. Monſon,
Rich^d. Barwell,
P. Francis."

Then the Managers for the Commons propoſed to read the before mentioned Letter of Mr. Goring of the 29th of June 1775, upon the following Grounds; Firſt, That it was Part of a Conſultation, of which Conſultation a Part had already been read, and that it applied to the ſame Subject with that Part of the Conſultation which had already been read: Secondly, Upon the Demeanor of Mr. Haſtings, in requeſting the Court of Directors to read the Whole of the Proceedings which had any Relation to the Subject of Mr. Goring's Appointment, and Conduct in the Execution of it, or to any other which had been Matters of Controverſy between him and the Board.

The ſame was objected to by the Counſel for the Defendant.

The Managers for the Commons being heard in Anſwer to the Objection made, and the Counſel in Reply, the Managers for the Commons were aſked, If the above were the Whole of the Grounds upon which they put the Admiſſibility of the Papers offered: To which they made anſwer, " That they were."

The Houſe adjourned to the Chamber of Parliament.

Die Jovis, 2° Julii 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Commons, and you, Gentlemen, who are of Counſel for the Defendant, the Lords have reſolved, That the Letter of Mr. Goring of the 29th of June 1775, ought not to be read.—Gentlemen, Managers for the Commons, you may proceed to make good your Charge."

The Managers for the Commons acquainted the Houſe, they would next proceed to prove that the Uſe made of the Nabob's Name, for the Purpoſe of diſpoſſeſſing Mahomed Reza Cawn from the Office to which he had been appointed by the Court of Directors, and of dividing his Salary between the Munny Begum and Rajah Goordaſs, was an Impoſition; that the Nabob was a Perſon of no Power whatever, but a mere Pageant and Inſtrument in the Hands of Mr. Haſtings, and that Mr. Haſtings knew of his Want of Power; for which Purpoſe they would read an Extract from a Conſultation of the 31ſt of July 1775, containing an Affidavit of Warren Haſtings Eſquire, in the Caſe of the King againſt Joſeph Fowke, and others, for a Conſpiracy.

Read, from Book 11, already delivered in, the following Extract of a Conſultation of the 31ſt July 1775, beginning at Page 701 of the ſame Book.

" Fort William, the 31ſt July 1775.

Secret Dept. Monday.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, Philip Francis, } Eſquires.

" Read and approved the Conſultation of the 24th inſtant.

" The Governor General, agreeable to his Promiſe, lays before the Board the following Copy of his Affidavit, which was delivered into Court on the Plea of Roy Radachurn as Vakeel to the Nabob, and deſires that a Copy of it may be ſent to Europe by the Northumberland.

" The Governor General's Affidavit.

" Fort William in Bengal, to wit. } The King againſt Joſeph Fowke, and others.

Governor General's Affidavit given into Court reſpecting Roy Radachurn.

" Affidavit of Warren Haſtings Eſquire, Governor General of Bengal.

" This Deponent maketh Oath and ſaith, That the late Preſident and Council did, on or about the Month of Auguſt 1772, by their own Authority, appoint Munee Begum, Relict of the late Nabob Meer Jaffier Allee Cawn, to be Guardian to the preſent Nabob Mobareck ull Dowla, and Rajah Goordaſs, Son of Maha Rajah Nundcomar, to be Dewan of the ſaid Nabob's Houſehold, allowing to the ſaid Manee Begum a Salary of 1,40,000 Rupees per Annum; and to the ſaid Rajah Goordaſs, for himſelf and Officers, a Salary of 1,00,000 Rupees per Annum.

" That the ſaid late Preſident and Council did, in or about the Month of Auguſt 1772, plan and conſtitute regular and diſtinct Courts of Juſtice, Civil and Criminal, by their own Authority, for Adminiſtration of Juſtice to the Inhabitants throughout Bengal, without conſulting the ſaid Nabob or requiring his Concurrence. And that the ſaid Civil Courts were made ſolely dependant on the Preſidency of Calcutta, and the ſaid Criminal Courts were put under the Inſpection and Controul of the Company's Servants, although oſtenſibly under the Name of the Nazim, as appears from the following Extracts from the Plan for the Adminiſtration of Juſtice, conſtituted by the Preſident and Council as aforeſaid.

" Article 1. That in each Diſtrict ſhall be eſtabliſhed Two Courts of Judicature; One by the Name of Moſuſſil Dewanee Adawlet, or Provincial Court of Dewannee, for the Cognizance of

Civil Cauſes; the other by the Name of Fouzdarree Adawlet, or Court of Fouzdarree, for the Trial of all Crimes and Miſdemeanours.

" Art. 4. That in the Fouzdarree Adawlet, the Cauzee and Muftee of the Diſtrict, and Two Moulavies, ſhall ſet * to expound the Law, and determine how far the Delinquent ſhall be guilty of a Breach thereof; but that the Collector ſhall alſo make it his Buſineſs to attend to the Proceedings of this Court, ſo far as to ſee that all neceſſary Evidences are ſummoned and examined, that due Weight is allowed to their Teſtimony, and that the Deciſion paſt is fair and impartial, according to the Proofs exhibited in the Courſe of the Trial, and that no Cauſes ſhall be heard or tried but in the open Court regularly aſſembled.

* *Sic in Orig.*

" Art. 5. That in like Manner Two ſuperior Courts of Juſtice ſhall be eſtabliſhed at the chief Seat of Government, the One under the Denomination of the Dewannee Sudder Adawlet, and the other the Nizamut Sudder Adawlet.

" Art. 7. That a Chief Officer of Juſtice, appointed on the Part of the Nazim, ſhall preſide in the Nizamut Adawlet, by the Title of Darroga Adawlet, aſſiſted by the Chief Cauzee, the Chief Mufftee, and Three capable Moulavies; that their Duty ſhall be to reviſe all Proceedings of the Fouzdarree Adawlet in capital Caſes, by ſignifying their Approbation or Diſapprobation thereof, with their Reaſons at large; to prepare the Sentence for the Warrant of the Nazim, which ſhall be returned into the Moſuſſel, and there carried into Execution. That with reſpect to this Court, a ſimilar Controul ſhall be lodged in the Preſident and Council as is veſted in the Collectors of the Diſtricts, ſo that the Company's Adminiſtration in Character of the King's Dewan may be ſatisfied that the Decrees of Juſtice, on which both the Welfare and Safety of the Country ſo materially depend, are not injured or perverted by the Effects of Partiality or Corruption."

" And the ſaid Deponent further ſaith, that he believes the above to be true Extracts from the ſaid Plan for Adminiſtration of Juſtice, as entered in the Conſultations.

" The ſaid Deponent further ſaith, that the Management of the Revenues of the ſaid Province of Bengal has for ſome Years paſt been, and now is, entirely in the Hands of the Eaſt India Company, and their Repreſentatives in this Country, without the ſmalleſt Participation of the ſaid Nabob. And this Deponent further ſaith, That in conſequence of Orders from the Court of Directors, dated in April 1771, the annual Stipend allowed to the ſaid Nabob Mobareck ull Dowla, was reduced from the Sum of 32,81,991 : 9 Rupees per Annum, to the Sum of 16,00,000 per Annum. And laſtly, the ſaid Deponent ſaith, That he believes all the above Facts to be publickly known, as they are particularly ſet forth in a printed Book intitled, 'Reports from the Committees of the Houſe of Commons.'

Signed Warren Haſtings."

" Sworn before me, this 28th
Day of June 1775,
(Signed) E. Impey."

Then the Managers for the Commons propoſed to read the Affidavit of Mr. George Vanſittart to the ſame Point, entered upon the ſame Conſultation.

The ſame was objected to by the Counſel for the Defendant.

The Managers for the Commons were informed by the Houſe, that the proper Mode of proving the Fact would be to call Mr. Vanſittart himſelf.

Then the Managers for the Commons propoſed to read the Affidavit of Mr. Lane to the ſame Point, alſo entered upon the above Conſultation.

The Counſel for the Defendant objected upon the ſame Ground.

The Managers for the Commons being aſked, whether any Thing was done at the Conſultation at which the abovementioned Affidavits were produced, which would ſhew that the Defendant acted upon them, deſired that an Extract of the above Conſultation of the 31ſt of July 1775, beginning at Page 716 of the ſame Book, might be read:

The ſame was read, as follows:

" Mr. Francis propoſes, that the following Paragraph may be inſerted in the General Letter after the Subject of the French Claims.

" The Mention of theſe Differences with the French, leads us to requeſt your ſerious Attention to that Part of the Opinions of the Judges delivered upon another Occaſion from the Bench, in which the Sovereignty of the Nabob Mobareck ull Dowla, as Soubah of theſe Provinces, is denied. Theſe Opinions, ſo publickly delivered, and of ſuch Authority, will, we conceive, preclude your Governor and Council from any Uſe of the Soubah's Name, or of the Authority of this Country Government, in any future Differences with the French and other Foreign Factories. We do not take upon us to aſſent to or condemn the Doctrine avowed by the Judges, in reſpect to the Rights which may belong to the Soubah, but we hope that the Difficulty in which the Declaration of it

may involve this Presidency, and which may ultimately affect the Peace of Europe, will be duly considered by you; and if it should be determined by you, that the Soubah's Government is annihilated, that you will instruct us in what Form the Government of the Provinces is to be administered for the future."

The Governor General.—"I object to the Motion, because I do not apprehend that the Declaration of the Judges, respecting the Nabob's Sovereignty, will involve this Government in any Difficulties with the French or other Foreign Nations.

"How little the Screen of the Nabob's Name has hitherto availed, will appear in the frequent and inconclusive Correspondence which has been maintained with the Foreign Settlements, the French especially, since the Company have thought proper to stand forth in their real Character in the Exercise of the Dewanny. From that Period the Government of these Provinces has been wholly theirs, nor can all the Subtleties and Distinctions of political Sophistry conceal the Possession of Power where the Exercise of it is openly practised, and universally felt in its Operation.

"In Deference to the Commands of the Company, we have generally endeavoured, in all our Correspondence with Foreigners, to evade the direct Avowal of our possessing the actual Rule of the Country, employing the unapplied Term Government for the Power to which we exacted their Submission; but I do not remember any Instance, and I hope none will be found, of our having been so disingenuous as to disclaim our own Power, or to affirm that the Nabob was the real Sovereign of these Provinces.

"In effect, I do not hesitate to say, that I look upon this State of Indecision to have been productive of all the Embarrassments which we have experienced with the Foreign Settlements. None of them have ever owned any Dominion but that of the British Government in these Provinces. Mr. Chevalier has repeatedly declared that he will not acknowledge any other, but will look to that only for the Support of the Privileges possessed by his Nation, and shall protest against that alone, as alone responsible for any Act of Power by which their Privileges may be violated, or their Property disturbed. The Dutch * the Danes have severally applied to this Government as to the ruling Power for the Grant of Indulgencies, and the Redress of their Grievances. In our Replies to all we have constantly assumed the Prerogatives of that Character, but eluded the direct Avowal of it. Under the Name of Influence we have offered them Protection, and we have granted them the Indulgencies of Government. Under elusive Expressions, sometimes applied to our Treaties with the Nabobs, sometimes to our own Rights as the Dewan, sometimes openly declaring the virtual Rule which we held of these Provinces, we have contended with them for the Rights of Government, and threatened to repel, with Force, their Encroachments on it. We, in One or Two Instances, have actually put these Threats in Execution, by Orders directly issued to the Officers of Government, and enforced by Detachments from our own Military Forces. The Nabob was never consulted, nor was the Pretence ever made that his Orders or Concurrence were necessary. In a Word, we have always allowed ourselves to be treated as Principals; we have treated as Principals; but we have contented ourselves with letting our Actions insinuate the Character which we effectively possessed without asserting it.

* Deest in Orig.

"For my own Part, I have ever considered the Reserve which has been enjoined us in this respect as a Consequence of the Doubts which have long prevailed, and which are still suffered to subsist, concerning the Rights of the British Government and the Company to the Property and Dominion of these Provinces, not as inferring a Doubt with respect to any foreign Power. It has, however, been productive of great Inconveniencies: It has prevented our acting with Vigour in our Disputes with the Dutch and French. The former refuse, to this Day, the Payment of the Bahar Peishcush, although the Right is incontestably against them, and we have threatened to enforce it. Both Nations refuse to be bound by our Decrees, or to submit to our Regulations. They refuse to submit to the Payment of the Duties on the foreign Commerce but in their own Way, which amounts almost to a total Exemption. They refuse to submit to the Duty of 10 per Cent. which is levied on foreign Salt, by which (unless a Stop can be put to it by a more decisive Rule) they will draw the Whole of that important Trade into their own Colonies; and even in the single Instance in which they have allowed us to prescribe to them, namely, the Embargo on Grain on the Apprehension of a Dearth, I am myself persuaded that they acquiesced from the secret Design of taking the Advantage of the general Suspension, by exporting Grain clandestinely, under Cover of their Colours, which they knew would screen them from the rigorous Examination of our Officers.

"We are precluded from forming many Arrangements of general Utility, because of their Want of Controul over the European Settlements; and a great Part of the Defects which subsist in the Government and commercial State of the Country are ultimately derived from this Source.

"I have not the slightest Suspicion, that a more open and decided Conduct would expose us to worse Consequences from the European Nations. On the contrary, we have the worst of the Argument while we contend with them under false Colours; while they declare they know us under the Disguise, and we have not the Confidence to disown it. What we have done and may do under an assumed Character, is full as likely to involve us in a War with France, a Nation not much influenced by logical Weapons, if such can be supposed to be the likely Consequence of our trifling Disagreement with them, as if we stood forth their avowed Opponents.

"To conclude: Instead of regretting, with Mr. Francis, the Occasion which deprives us of so useless and hurtful a Disguise, I should rather rejoice (were it really the Case) and consider it

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as a Criſis which freed the Conſtitution of our Government from one of its greateſt Defects: And if the Commands of our Honourable Employers, which are expected by the Ships of the Seaſon, ſhall leave us uninſtructed on this Subject, which has been ſo pointedly referred to them in the Letters of the late Adminiſtration, I now declare that I ſhall conſtrue the Omiſſion as a tacit and diſcretional Reference of the Subject to the Judgment and Determination of this Board, and will propoſe that we do ſtand forth, in the Name of the Company, as the actual Government of theſe Provinces, and aſſume the Exerciſe of it in every Inſtance, without any Concealment or Participation.

" Though I have thus fully declared my Opinion with reſpect to the Effects of the Deciſion of the Judges, upon the Plea of the Nabob's Sovereignty, I think it incumbent upon me to remark, that even on the Suppoſition that their Deciſion was replete with the moſt dangerous Conſequences, it would be uncandid to reproach them with it. They were bound by their Duty and by their Oaths to give Judgement on the Plea which was brought before them according to Law and Truth, regardleſs of any Conſequences which might attend it. The Gentlemen of the Majority, who were under no Obligation to bring a Plea before the Court, which they muſt at leaſt have known to be liable to ſuch a Deciſion, are alone accountable for the Effects of it; and it is not eaſy to ſee how they could have expected any other Deciſion, while they declare that they conſider the Nabob's Name as a Political Screen to cover the Acts of our Government.

(Signed) " Warren Haſtings."

" Mr. Barwell.—I entirely agree with the Governor General, that the Nabob Mobareck ul Dowla is dependant on the Engliſh Government in all Reſpects, and wholly independant of the French, Dutch, and other foreign Nations. That he acts by a Commiſſion from the Court of Delhi in the Adminiſtration of the Provinces; and that the Mooriſh Polity being judged neceſſary to the Welfare of the People, the Company's Government have allowed it to prevail, and ſupport the Exerciſe of it in the Nabob's Perſon, and the Officers of the Nizamet Phouzdarries, with Checks and Modifications to regulate any Abuſe of Power. The Company's Government certainly have a Power to annihilate the whole Civil and Criminal Juriſdiction eſtabliſhed in the Country; but it does not follow that they ought to exerciſe that Power becauſe they poſſeſs it, and introduce Anarchy and Confuſion in the Place of Order and Juſtice; or becauſe they decline to exerciſe it, that they tacitly or avowedly declare an independant Sovereignty in a mere Officer of the State. While the Juriſprudence of the Mogul Government is allowed of, the Perſon who holds the Mogul's Sunnuds will of courſe be permitted to exerciſe the Functions of his Office; and the Company have ordered him a Stipend equal to the Support of the Rank and Character he is honoured with. Laſtly; I cannot conceive that the Engliſh Government, allowing a coercive Power to the Mogul Juriſprudence, does, in any Reſpect, authoriſe foreign Nations to diſpute it, or to oppoſe the Mogul's Officer acting with its Concurrence and Support. In ſhort, I do not comprehend what Difficulties are apprehended by Mr. Francis to our Intercourſe with foreign Factories, by the Judges Opinions delivered from the Bench, that Duty will not allow any Individual to ſcreen himſelf from the Engliſh Law by aſſuming a fictitious Character, under a Plea of the Soubah's Rights to veſt him with one.

(Signed) " Richd. Barwell."

" Agreed, that the Paragraph propoſed by Mr. Francis be accordingly inſerted."

The Managers for the Commons ſtated, they would now produce the Opinion of the Judges of the Supreme Court at Calcutta to the ſame Point, in the Caſe of the King againſt Roy Rada Churn, and others, upon an Indictment for a Conſpiracy, at the Suit of Mr. Haſtings: For which Purpoſe they deſired to read a Paper delivered by Sir Elijah Impey, on the 7th of July 1775, in the Supreme Court, to the Aſſiſtant Secretary of the Supreme Council, in order to be tranſmitted to the Council, as the Reſolutions of the Court in reſpect to the Claim made for Roy Rada Churn, on account of his being Vakeel of the Nabob Mobarek ul Dowlah; ſtating that the ſame was accordingly delivered to the Supreme Council, by the Aſſiſtant Secretary, on the 10th of July 1775; that it was the Subject of the Deliberation of the Council on the 31ſt of July 1775 (*a*), Mr. Haſtings being preſent; and that it was by them tranſmitted to the Court of Directors, as a Ground for ſuch Inſtructions as the Occaſion might ſeem to require.

The Counſel for the Defendant objected to the ſame.

The Managers for the Commons being heard in Anſwer to the Objections made, and the Counſel in Reply,

The Houſe adjourned to the Chamber of Parliament.

(*a*) Vide ſupra, Page 1072.

Die Martis, 7° Julii 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Houſe of Commons, and you, Gentlemen, who " are of Counſel for the Defendant, the Lords have reſolved, That the Paper " ſent by Sir Elijah Impey to the Governor General and Council, and by them " tranſmitted to the Court of Directors, as Part of their Repreſentation to the ſaid " Directors, of the actual Situation of the Nabob Mobareck ul Dowlah, with " Reference to the Eaſt India Company, ought to be read in Evidence.

" Gentlemen, Managers for the Houſe of Commons, you may proceed to make " good your Charge."

The Managers for the Commons deſired that an Extract of a Conſultation of the 10th July 1775 might be read, beginning at Page 509 of Book 11, already delivered in.

The ſame was read, as follows:

" Fort William, 10th July 1775.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident; Secret Dept. Monday.
Lieutenant General John Clavering,
The Honourable George Monſon,
Richd. Barwell, } Eſquires.
Philip Francis, }

" The Aſſiſtant Secretary begs leave to acquaint the Board, that whilſt he was attending the Supreme Court on Friday Evening, in Obedience to a Subpoena which he had received for that Purpoſe, he was called by the Chief Juſtice, who delivered him the following Papers, and deſired that they might be laid before the Board at their Firſt Meeting, in the Name of the Court, as the Reſolutions of the Court in reſpect to the Claim made for Roy Radachurn, on account of his being Vakeel of the Nabob Mobarek ul Dowla.

" Chief Juſtice to Roy Radachurn.

" You are hard preſſed to make uſe of that Argument; the Company will not thank you for ſtating the Right to be in Mobareck; for if it is, the Exerciſe of the Power muſt be a Uſurpation in the India Company; but I do not take it to be ſo, for the Treaty which you have produced is a Surrender by him of all Power into the Hands of the Company (*a*). Chief Juſtice.

(Signed at the End of the Conſultation)

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Richd. Barwell,
P. Francis."

Read, further Extract from the ſame Conſultation, beginning at Page 512 of the ſame Book.

" It is from the real Buſineſs to be tranſacted between Nation and Nation, not from any Repreſentation of ſuppoſed Majeſty, that their Rights are ſubſtantially founded. Is Mobarek ul Dowla, or was he ever a Prince in a Situation of tranſacting any Public Buſineſs of Conſequence with this Settlement? Is he, from the Evidence before us, capable of making War and Peace with this

(*a*) Vide Appendix, N° CXIX.

Settlement? If not, though there may remain in him a Shadow of Majeſty, I think no Sanctity of Perſon can be derived to his Vakeel which will be ſufficient to give him the Rights of an Ambaſſador; for this Reaſon I threw out, when this was before mentioned, what I thought would be neceſſary for the Governor General and Council to make out before they could ſupport this Claim. I did it that, if they could not make it out, they might have an Opportunity of relinquiſhing a Claim, which I was fully aware muſt embarraſs them. They have choſen to perſiſt in it, and to force the Court to a Determination on a Queſtion which their Counſel ſtates to be political, and that to protect a Man charged (whether properly or no will appear when the Indictment is tried), with a Conſpiracy againſt the Firſt Man in this Settlement, the Governor General. Whatever my Opinion may be, the Gentlemen of the Council muſt have been clearly convinced of the Juſtneſs and Indiſpenſability of the Claim, or in ſuch a Caſe I am ſure they would not have made it. We had ſaid it would be neceſſary that the Governor General and Council ſhould verify, by Affidavit, that Mobareck ul Dowla was a Sovereign Prince, in a Situation to make War and Peace with this Settlement; that he was ſui Juris; that he appointed his own Miniſtry; that he performs all Acts of Sovereignty independently, and without the Controul of this Government; that he is in all Negociations treated as a Prince ſui Juris; that a Vakeel is a publick Miniſter, having the jus revocandi Domum; that the Governor General and Council have always treated Roy Radachurn as inveſted with the Rights which they claim for him; and that they do not conſider him ſubject to the Order and Controul of this Government.

" No ſuch Affidavit has been made; I ſhould have been much ſurpriſed if there had; but the Reaſon given for the Want of Affidavit is not the true one; namely, that the Facts would not bear them out. The reaſon given by their Counſel is, that the Governor General and Council could not make the Affidavits required, becauſe they are a Corporation. I cannot imagine from what Confuſion of Ideas this Notion has ſprung. In fact, they are no Corporation; if they were, could it enter into the Mind of any Man, that it was ſufficient for a Corporation merely to make a Claim without ſupporting it by Proof? to fling a Claim, on Paper, into Court, and leave it to eſtabliſh itſelf without Evidence? Though a Body Corporate, qua Corporate, cannot make an Affidavit, yet each Individual that compoſe it can. In fact, the Governor General has. The Individuals, if the Facts would have bore them out, might, and I have no Doubt would have made the Affidavits, eſpecially as the Court had informed them, if they did not the Negative of the Queſtions put would be taken for granted.

" They have not even ſworn, or given any Evidence, that they themſelves do now, or ever have treated Roy Radachurn as a Perſon inveſted with the Rights they claim for him from us; nor that they do not conſider him ſubject to the Order and Controul of this Government. Is he then to be treated as a Publick Miniſter, merely to elude Juſtice, and in no other Reſpect to be ſo treated? I have little Doubt but that this Man was originally appointed by the Influence of the late Adminiſtration; and am not ſurpriſed that thoſe who form the Government of this Preſidency, which undoubtedly exerciſes Authority over the Maſter, cannot ſwear that they do not think the Servant liable to the Controul of the Government of this Preſidency.

" What has been produced in Support of this Claim? A Paper which has been called a Treaty with Mobarek, a Sunnud of Meer Jaffier Ally Cawn, the Affidavit of Roy Rada Churn, and Two Letters to the Governor General, which are called the Credentials.

" The Treaty indeed, by its Firſt Article, nominally guaranties to him the Poſſeſſion of Bengal, Bahar, and Oriſſa; but by the other Articles, all Power whatſoever is taken from him, nothing is left him but an empty Title and 31,31,991 Rupees annually; even that Sum is appropriated, all but 16 Lack, to his Houſehold, and it is expreſsly ſtipulated, that the remaining 16 Lack ſhould be expended by the Officer named in the Treaty in maintaining the Peons, &c. of his Swany: He is therefore obliged to keep up the Enſigns of Power, and maintain the outſide Pomp of a Prince, by the very Inſtrument which is an actual Surrender of his Sovereignty, if he was, which is not in Proof, ever poſſeſſed of it.

" It was ſtated by the Counſel at the Bar, to induce the Court to believe that the Military Power, that ſubſtantial Evidence of Royalty, was in his Hands, that he kept an Army on Foot. What does it turn out to be? A mere Swarry to keep up oſtenſible Pomp, and make him appear what he is not. It is a miſerable Attempt to impoſe on the Court.

" As to the Sunnud of Meer Jaffier, that is produced to ſhew that Mobarek has a Right to a Mint, another Mark of Sovereignty. Does it proye it?

" It proves that the Eaſt India Company had exerciſed the Right of coining Money; and what they poſſeſſed before is confirmed to them by this Grant of Jaffier. By what Authority the Eaſt India Company claimed it before this Grant, does not appear; it does appear they exerciſed it. But though Meer Jaffier might be a Sovereign, how is Mobarek connected with him? No Title has been attempted to be derived, nor any Succeſſion proved from Jaffier to Mobarek. Is there any Proof that Mobarek ever coined Money in his own Name? All this is meer Colour, and ſo faint, that I can hardly induce myſelf to think that the Gentlemen who made the Application do themſelves believe what they are deſirous the Court ſhould believe."

Read,

Read, further Extract from the ſame Conſultation, beginning at Page 521, of the ſame Book.

" Thus it ſtands on the Evidence in Support of the Claim: It is mere colourable Evidence; but when the Affidavits on the other Side are read, that Colour immediately vaniſhes.

" The Governor General ſwears, That the late Adminiſtration, by their own Authority, appointed Munny Begum to be Guardian to the Nabob, and Rajah Goordaſs, Dewan of his Houſehold, allowing each of them large Salaries; That the ſame Adminiſtration planned and conſtituted Criminal and Civil Courts by their own Authority, without conſulting the Nabob, or requiring his Concurrence; the Civil were made dependant on the Preſidency ſolely, and the Criminal, though held in the Name of * Nabob, are in Fact under the Controul and Inſpection of the Servants of the Eaſt India Company. That the Management of the Revenues, (the Sinews of War) are entirely in the Hands of the Eaſt India Company and their Repreſentatives, without the ſmalleſt Participation of the Nabob. That, in conſequence of Orders from the Court of Directors, the annual Stipend which was allowed him was reduced from 31,31,991 Rupees to 16,00,000. * Deeſt in Orig.

" By what Authority did they appoint a Guardian? The Company had no natural Connection by Blood with Mobarek. By what Authority did they appoint the Dewan of his Houſehold, and allow them large Salaries? It could only be done in their political Capacity, by that Authority which they exerciſe over him.

" If the Treaty given in Evidence was in the Nature of a real Treaty with a Sovereign Prince, when there were mutual Agreements and Conſiderations, how came his Stipend, for ſo it is called (a Word hardly applicable to an independant Sovereign Prince), to be reduced to 16,00,000 Rupees? By what Authority did they erect the Courts of Law, and ſuperintend the Adminiſtration of Juſtice, without any Communication with him? Had he himſelf any Idea he was a Sovereign? Does he complain of the Reduction of his Stipend, or the Infringement of Treaties? No: He conſidered himſelf, what he really is, abſolutely dependent on the Company, and was willing to accept any Pittance they would allow him for his Maintenance. He claims no Right. Does he complain that the Adminiſtration of Juſtice is taken into the Hands of the Company? No: By the Treaty the Protection of his Subjects is delivered up to the Company; and he well knew, whoever is held up as the oſtenſible Prince, the Adminiſtration of Juſtice muſt be in the Hands of thoſe who have Power to enforce it. The Governor General, who, I ſuppoſe, had a Delicacy to ſtate more than what has before been made public, cloſes his Affidavit with ſaying, that all he has depoſed to he believes to be publickly known, as it is particularly ſet forth in the Reports of the Committee of the Houſe of Commons. I knew it was there, and was therefore ſurprized at this Application. It is ſo notorious that every Body in the Settlement muſt have known; when I ſay every Body, I mean with an Exception to the Gentlemen who apply to the Court: The only Reaſon I can give for their applying is the little Time they have been in the Country, and the Want of Knowledge of former Tranſactions of Government, and the Cuſtoms and Manners of the People. I wiſh the Governor General had pointed out this Paſſage to them; for if he had, it ought, and I have therefore no Doubt would have prevented this Application.

" The Governor General's Affidavit proves the Revenues, their Collection, the whole Adminiſtration of Juſtice, both Civil and Criminal, and even the appointing of the Officers of his Houſehold, to be in the Company. Mr. Lane, Mr. Hurſt, and Mr. Vanſittart, all Members of the late Council, depoſe, that the Military is ſo likewiſe. They ſwear, that the whole Military Power of the Province is, and has been for ſeveral Years, entirely under the Controul of the Company, and of their Repreſentatives: They ſwear, that he performs no Acts of Sovereignty independant of, and without the Conſent of the Repreſentatives of the Eaſt India Company; nothing therefore is left to Mobarek but an empty Title. This has been ſaid to have been a political Queſtion, and that the Determination of it againſt the Right of the Vakeel might be productive of Quarrels with Foreign Nations, eſpecially the French. I think it can have no ſuch Effect; for whether the Territorial Acquiſitions belong to the Crown or the Company, if either of them have a Right to execute Sovereignty here, and chuſe ſo far to poſtpone their own Dignity, as to ſet up another Perſon, through whom, and in whoſe Name, they will exerciſe the Power, I do not know that any Foreign State has any Right to complain; nor do I think this Determination can affect the Legality of the Courts eſtabliſhed in this Province. All that is determined in this Caſe is, that Mobareck-ul-Dowla, who ſurrendered his Power entirely into the Hands of the Engliſh Company, cannot himſelf, nor can the Eaſt India Company in his Name, protect Delinquents, ſubject to the Juriſdiction of this Court, from being puniſhed by the Laws of Great Britain; that the Agents of the Eaſt India Company cannot, by making him the Inſtrument, do indirectly what they would not aſſume to do directly. It cannot be a political Queſtion of a ſerious Nature, in the Opinion of the Gentlemen making the Claim; had it been ſo, they would not have preſſed a Deciſion on it in this very unfavourable Caſe. It is no Right claimed by the Nabob; both he and his Vakeel, as the Vakeel, as to himſelf, candidly confeſſes in his Memorial, were wholly ignorant of the Rights and Privileges to which he was entitled by the Laws of Great Britain, as an Ambaſſador or public Miniſter. If any material Conſequences follow from it, the Gentlemen ſhould have been backward in forcing us to a Deciſion; for we muſt give ſuch an Opinion, whatever may be the

Conſequences, as we think founded in Law. They were to judge of the Politics; they have thought it right to have it determined: The Evidence is before us; we cannot determine contrary to it: We muſt judge by Law, not by Politics. Perhaps this Queſtion might have been determined merely on the Dates of the Letters to the Governor General; but as the Council have made the other a ſerious Queſtion, I ſhould not have thought that I had done my Duty, if I had not given a full and determinate Opinion upon it. I ſhould have been ſorry if I had left it doubtful, whether the empty Name of a Nabob could be thruſt between a Delinquent and the Laws, ſo as effectually to protect him from the Hands of Juſtice."

Read, further Extract of the ſame Conſultation, beginning at Page 542 of the ſame Book.

" Mr. Juſtice Le Maiſtre.—With regard to this Phantom, this Man of Straw, Mobareck al Dowla, it is an Inſult on the Underſtanding of the Court to have made the Queſtion of his Sovereignty.

" But it came from the Governor General and Council; I have too much Reſpect for that Body to treat it ludicrouſly, and I confeſs I cannot conſider it ſeriouſly. (*a*)

20th June 1775.

Read, further Extract from the ſame Conſultation, beginning at Page 544 of the ſame Book.

" Mr. Juſtice Hyde.—By the Treaty which has been read, it appears that Mobarek al Dowla deprives himſelf of the great Enſign of Sovereignty, the Right to protect his own Subjects; he declares, that ſhall be done by the Company.

The Act of Parliament does not conſider him as a Sovereign Prince. The Juriſdiction of this Court extends over all his Dominions to ſuch Perſons as are Servants of the Company, or of any Britiſh Subject, and to every One of his Subjects who chooſes to ſubmit himſelf to our Juriſdiction, and exempt himſelf from that of his Courts, by making a Contract above 500 Rupees in Value, and declaring any Diſpute on it ſhall be determined in this Court only; ſo that if we allowed this Claim, his Vakeel would be the only Perſon in his Dominions to whom he could extend the Arm of Protection (*b*).

Read, further Extract of the ſame Conſultation, beginning at Page 546 of the ſame Book.

" The unanimous Opinion of the Court, delivered by the Chief Juſtice, in Conſequence of a Letter ſigned J. Clavering, Geo. Monſon, and P. Francis."

The Counſel for the Defendant obſerved, that it would be more regular firſt to read the Letter upon which the Opinion of the Court as abovementioned was delivered.

The ſame was accordingly read by Conſent from a printed Paper, intituled, " The Examination into the Claim of Roy Rada Churn to the Privilege of an Ambaſſador, as Vakeel of Mobarek ul Dowla, Nabob of Bengal;" and is as follows:

" Supreme Court of Judicature, Fort William, June 21ſt, 1775.

" Preſent,

The Honourable { Robert Chambers, Stephen Cæſar Lemaiſtre, John Hyde, } Eſquires.

" Gentlemen,

" Encloſed we have the Honour to tranſmit you the Copy of a Memorial, which has been preſented to us by Roy Rada Churn, the Vakeel of the Nabob Mubarick ul Dowla, repreſenting, that a Bill of Indictment has been preſented and found againſt him in the Supreme Court of Judicature.

" As this Perſon is the Vakeel, or Publick Miniſter, of the Subah of theſe Provinces, we conceive him to be entitled to the Rights, Privileges, and Immunities, allowed by the Law of Nations, and the Statute Law of England, to the Repreſentatives of Princes. We therefore claim thoſe Rights in his Behalf; and deſire that the Proceſs againſt him may be void; and that the Perſons ſuing out and executing ſuch Proceſs, may be proceeded againſt in ſuch a Manner as the Law directs.

" We have the Honour to be,
Gentlemen,
Your moſt obedient humble Servants,
John Clavering,
George Monſon,
Philip Francis."

" Revenue Department,
Fort William, 20th June 1775.

(*a*) Vide Appendix, N° CXIX.

(*b*) Vide Appendix, ibid.

Then

Then the following Extract of the unanimous Opinion of the Judges of the Supreme Court at Calcutta in Bengal, in conſequence of the above Letter, was read from the before-mentioned Conſultation of the 10th July 1775, beginning at Page 547 of Book 11.

" The Letter from the Council encloſes One of a moſt extraordinary Nature from the Nabob Mobarek. His Age, his Situation, is ſuch, that there is no Man, either in England or India, will believe he would be induced to write ſuch a Letter, was it not dictated to him by the Agents of thoſe who rule this Settlement; or unleſs he was perfectly convinced it would be agreeable to, and coincide with their Sentiments. We always have, and always ſhall, conſider a Letter of Buſineſs from that Nabob the ſame as a Letter from the Governor General and Council." (*a*)

The Managers for the Commons ſtated, they would next proceed to prove that the Nabob Mobareck ul Dowlah was entirely in the Hands, and under the Management of Mr. Haſtings, at the Time of the above Tranſaction; and that Mr. Haſtings having, at a Conſultation of the 2d March 1778, been over-ruled in a Propoſal he made to comply with certain Requiſitions of the Nabob, to remove Mahomed Reza Cawn, the Matter having then been referred, by a Majority of the Board, to the Deciſion of the Court of Directors; at the next Council that was held reſcinded that Reſolution, and put Munny Begum into Power.

Read, from Book 76, already delivered in, the following Extract of a Conſultation of the 2d March 1778, beginning at Page 579 of the ſame Book.

" Fort William, the 2d March 1778.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Mr. Barwell, indiſpoſed.

Secret Dept. Monday.

" Reconſidered the Letter from the Nabob Mobareck ul Dowlah, received the 12th, and recorded the 23d ultimo.

" Mr. Wheler delivers in the following Minute.

" Mr. Wheler.—After having very maturely conſidered the 40th Paragraph of the General Letter from this Preſidency to the Court of Directors, dated the 20th November 1775, particularly that Part of it, which mentions the Appointment of Mahomed Reza Cawn to the Naibſhip of the Nizamut, for the Support of that oſtenſible and active Power in the Nizamut, which the Nabob from Youth and Neglect of Education was judged incapable to exerciſe, and having likewiſe peruſed the 35th Paragraph of the General Letter from the Court of Directors, dated 24th December 1776, wherein they highly approve, for the Reaſons above quoted, of the Appointment of Mahomed Reza Khan; I am of Opinion that the Requeſt now preſented to this Board by his Highneſs, conſiſtently with thoſe Orders cannot be complied with here, but that it will be proper to ſubmit the ſame to the Determination of the Court of Directors, together with ſuch Remarks as may ſerve to apprize them of the Conſequence, whether beneficial or otherwiſe, that may probably reſult from complying with his Highneſs's Requeſt; and I am further inclined to this Mode from a Belief, that although his Highneſs was under Age when placed under the Guardianſhip of Mahomed Reza Khan, it was well known to the Court of Directors, that previous to the Date of their Letter approving Mahomed Reza Khan's Appointment, or to its Arrival in India, his Highneſs either had or would ſhortly attain the Years of Maturity.

" Fort William,
24th February 1778. (Signed) Edward Wheler."

" Mr. Francis delivers a Minute containing his Opinion, as follows:

" Mr. Francis.—I could have wiſhed, that before I had been called upon to give my Opinion on the preſent Queſtion, the Merits of it had been ſtated to us by the Governor General, and regularly debated at the Board. The Inſtitution of a Council ſuppoſes a reciprocal Communication of Opinions, and that no Reſolutions ſhall be formed without a previous Debate. Reſerving therefore to myſelf the Right of altering or qualifying the Anſwer I now deliver in, according to the Lights and Information I may receive from the other Members of the Board, I muſt declare, that I think we have but one Courſe to purſue.

" The Letter received from the Nabob Mobarek ul Dowlah ſhould be referred to the Court of Directors. I do not myſelf ſee any one Motive that ſhould preſs this Government to take upon

(*a*) Vide Appendix, N° CXIX.

themſelves the hazardous Reſolution of complying with the Requiſitions contained in it, eſpecially at a Time when Meaſures of the greateſt Importance to the Welfare of India already divide our Counſels, and ought to engroſs our Attention. The Subject is delicate in its Nature, and I wiſh to ſpeak of it with Caution and Reſerve. The Board will conſider maturely what Conſequences the Compliance required of us may lead to, with what Demands upon the Company it may be followed, in what Manner it may affect the internal Government of theſe Provinces, and how far it may coincide with or embarraſs Arrangements at this Moment probably under the Conſideration of the Legiſlature for the permanent Settlement of Bengal.

General Letter, 24th Dec. 1776.

" With reſpect to the Removal of Mahomed Reza Cawn, I ſhall only obſerve at preſent, that the Court of Directors have approved of our Recommendation of him to the Nabob to conſtitute him his Naib; that they are well pleaſed that he has received that Appointment, and that they have authorized us to aſſure him of their Favour. I truſt that no Member of this Board would recommend or approve of the Diſmiſſion of a Man whom the Court of Directors themſelves conſider as qualified for the high Station he holds, in a more eminent Degree than any other Native with whom the Company has been connected, without their expreſs Authority, or unleſs ſome Crime had been proved againſt him.

" Mr. Francis.—Mr. Wheeler and I having delivered our Opinion on the Queſtion brought before the Board by the Governor General, I muſt requeſt that the Governor will be pleaſed to favour the Board with his Opinion upon it.

" Governor General.—I did not expect that my Opinion would be required, until thoſe of the other Members had been regularly taken in Succeſſion; nor was this Day appointed for collecting the Opinions upon the Subject: Mr. Barwell's has not been received; he is abſent. I ſhall therefore decline to give my Opinion at this Day's Conſultation, unleſs the Majority of the Board now aſſembled ſhall require it.

* Sic in Orig.

" Mr. Francis.—On this Day * Sevenight the Governor General moved, that the Opinions of the Members of the Board might be taken on the Subject of the Nabob's Letter. The Motion ſtates, that their Opinions may be taken at the next Meeting of the Council; and the Queſtion was brought forward again this Day; I preſume with the Governor's Approbation; at leaſt it was not called for by any other Member of the Board. I believe therefore I am perfectly regular in Point of Form, *in requeſting his Opinion may follow thoſe of the Members preſent.* I therefore beg Leave to repeat my Queſtion in the Form of a Motion; but am ready, if the Governor General approves of it, to put off the Conſideration of this Queſtion until this day Fort*night.*

The Governor General.—I deſire the Secretary to declare, whether he had any Directions from me to bring this Matter before the Board. This is properly the Conſultation following that in which the Queſtion was firſt brought before the Board; as the Meetings on Thurſdays, though held in this Chamber, belong only to the Department of Inſpection, and are held by a Summons iſſued by the Secretary to that Department. It was probably my Intention to have brought on the Queſtion for Deciſion this Morning; but I apprehend it cannot be done with Regularity, as One of the Members of the Board, whoſe Opinion I preſume will be eſſentially neceſſary, is at this Time abſent. It will reſt with the Majority of the Board aſſembled, to let the Queſtion take its due Courſe, or to force it to an immediate Deciſion, ſubject to a regular Confirmation or Repeal at the next Meeting. I cannot conſent to the Compromiſe propoſed by Mr. Francis; it is inconſiſtent with the Demand for an inſtant Deciſion.

" The Secretary—Begs Leave to acquaint the Board, that he did not receive any Orders whatſoever for bringing on the Conſideration of the Nabob's Letter this Morning, but that he introduced it as a Subject depending before the Board in the regular Courſe of Buſineſs.

" Mr. Francis.—In propoſing to defer the Queſtion to this Day Fortnight, I have explained myſelf to mean, that we ſhould wait for the Receipt of the Company's Letter now on Board One of the Ships at Madras, and which we may probably receive in that Time. Since that is not approved by the Governor General, I adhere to my firſt Motion, being perfectly ſure that I proceed not only with the ſtricteſt Obſervance of the Forms of the Board, but with the utmoſt Candour and Moderation.

The Governor General.—From the Whole which has paſſed in this Debate, which hitherto has been confined to Mr. Francis and myſelf, it is very evident that Mr. Francis perſiſts in his Motion, on the Preſumption of a ſuperior Influence occaſionally over-ruling me at this Day's Meeting, otherwiſe it is impoſſible to conceive any Reaſon why he ſhould inſiſt on an inſtant Deciſion of the general Queſtion propoſed by me on laſt Monday, when he at the ſame Time proffers the Suſpenſion of it for a Fortnight, and the Time in which I would propoſe to ſuſpend it will neceſſarily form a Part of that Interval, and of Courſe come nearer to his own Propoſition than an immediate Determination. I forbear to ſay more upon the Subject; it will reſt with Mr. Wheler to determine whether the original Queſtion ſhall be determined immediately, or wait until the Aſſembly of the Board is complete.

" Mr. Francis.—If the Board will not unanimouſly agree to wait for the Receipt of the Company's Inſtructions, now upon their Way probably to this Place, it is not in my Power to aſſign a Reaſon why the Board ſhould not decide the Queſtion now. The Motive imputed to me for urging ſuch Deciſion at preſent, though in Fact I have not done ſo, will I believe in the Mind of every impartial

impartial Judge, be full as applicable to the Deſire intimated by the Governor, that Mr. Barwell's Preſence ſhould be waited for. Conſiderations of that Kind are irregular, and, as I think, not fit to be inſiſted on of either Side. I beg the Queſtion may be put.

" The Governor General.—I believe I know Mr. Barwell's Sentiments upon the general Queſtion as I know Mr. Wheler's; but the Queſtion now before the Board is of a different Nature, and is moſt undoubtedly an Advantage taken of the preſent Compoſition of the Board. It may however prove an inſtructive Experiment, and I ſhall not be ſorry that it is made. If Mr. Francis knows that the Company's Inſtructions, which he ſays are probably now on their Way to this Place, relate to the general Subject now under Conſideration, I will readily agree to poſtpone it; but if he has no ſuch Knowledge, and there is the ſtrongeſt Reaſon to believe that they contain nothing which bears the moſt diſtant Alluſion to it, I know not why I ſhould be required to ſupport the Credit of ſuch a Suggeſtion.

" Mr. Francis.—I am not acquainted with the Contents of the Company's expected Letter, but I do believe, on the Authority of the Court of Directors themſelves, expreſſed in their Letter to the late Sir John Clavering, that it contains ſome general Arrangements concering the Affairs of this Country and the Government. They poſitively promiſed him to ſend out ſuch Inſtructions by their next Diſpatches.

" The Governor General.—I believe the Court of Directors will regret their ever having given ſuch a Promiſe, when they know that it has been circulated to every Part of the Provinces, and even beyond the Dominions of our Ally the Nabob of Oude, for the Purpoſe of weakening the Influence of the preſent Adminiſtration, and defeating its Meaſures. It therefore becomes me, whilſt I hold this Place I poſſeſs in this Government, to uſe every Means that may be requiſite for obviating the Effects of ſo dangerous a Policy. This alone would be a ſufficient Reaſon for me to refuſe to protract the preſent, or any other Queſtion, until the Arrival of the Company's Orders, on the Suppoſition that they will contain the Confirmation of a Belief ſo induſtriouſly propagated."

" The Queſtion propoſed by Mr. Francis being put,

" Mr. Wheler.—Of the Two Propoſitions made by Mr. Francis, I prefer the poſtponing the further Conſideration of this Queſtion for Fourteen Days; but as that is diſapproved by the Governor General, I think it highly neceſſary that we ſhould come to an immediate Deciſion, and I only regret that that Deciſion, probably, will not be final.

" Governor General.—I ſubmit, and ſhall deliver my Opinion, as nearly as I can, in the Terms of the Queſtion. It is my Opinion, that the Requiſitions contained in the Letter from the Nabob Mobareck-ul-Dowlah, entered in the Conſultation of laſt Monday, be complied with.

" Mr. Francis.—I move that it be reſolved, in Conformity to the Opinions of a Majority of the Board, That the Nabob's Letter be referred to the Deciſion of the Honourable the Court of Directors, and that no Reſolution be taken here upon the Subject of the Requiſitions contained therein, without their ſpecial Orders and Inſtructions.

" Mr. Wheler, agrees.

" Mr. Francis, agrees.

" Governor General.—I object, and proteſt both againſt this and the preceding Reſolution.

" Reſolved, That the Nabob's Letter, recorded the 23d ultimo, be referred to the Deciſion of the Honourable the Court of Directors; and that no Reſolution be taken here on the Subject of the Requiſitions contained therein, without their ſpecial Orders and Inſtructions."

No Signature at the End.

The Counſel for the Defendant ſubmitted that the Whole of the above Conſultation would be unintelligible, unleſs the Letter from Mobareck ul Dowlah, which was the Subject Matter of the above Deliberation, were read.

The Managers for the Commons being aſked, if they meant to read the Letter alluded to by the Counſel for the Defendant, anſwered, that they did.

The ſame was accordingly read from a Conſultation of the 23d February 1778, beginning at Page 567 of the ſame Book.

" Fort William, the 23d February 1778.

" At a Council; Preſent,

Secret Dept. Monday.

The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell,
Philip Francis,
Edward Wheler,
} Eſquires.

" The Governor General deſires that the following Letter from the Nabob Mobareck ul Dowlah may be read.

" From the Nabob Mobarek ul Dowlah. Received 12th February.

" I have already addreſſed repeated Letters to your Excellency, ſtating very fully the Trouble and Uneaſineſs I ſuffered from the Nabob Mahomed Reza Khan's being inveſted with the Office of the Naibſhip

Letter from the Nabob Mobarek ul Dowlah.

Naibſhip of the Nizamut, with the Management of the Affairs of the Country, and of the ſeveral Offices of my Houſehold, the Adminiſtration of the Buſineſs of the Adawlut and Phouſdarry within the Soubah's, and of all the Affairs of the Nizamut, as well as of my domeſtic Concerns, and the Superintendance of myſelf and Family; becauſe the ſaid Nabob, regarding only his own Benefit and the Increaſe of his Greatneſs in future, pays no Regard or Attention to my Intereſt or Advantage.

" The Nabob Mahomed Reza Khan is neither connected with me by the Ties of near Relationſhip, nor of ſincere Attachment, that he ſhould therefore be inveſted with ſuch a Degree of Power is highly oppreſſive and diſhonourable to my Family. I am now, by the Favour of God, come to the Years of Maturity, and to that Age when, by the Precepts of our Holy Law, and the Uſage of Mahomedaniſm, I ought to take Charge and Management of my own Affairs, and by the Bleſſing of the Almighty, I am not ſo devoid of Underſtanding as to be incapable of conducting them. I am therefore hopeful, from your Favor and Regard to Juſtice, that you will deliver me from the Authority of the aforeſaid Nabob, and give your Permiſſion that I take on myſelf the Management of the Adawlut and Phouſdarry of the Soubahs, as well as of my own Houſehold, and the Buſineſs of the Nizamut, which is my Right.

" The Company, who have acquired ſo great Authority in this Country, and raiſed themſelves to their preſent Degree of Greatneſs and Dominion, are indebted for the Advantages ſolely to the warm Support of my Anceſtors; and you well know what Degree of Authority I am at preſent poſſeſſed of. I therefore aſk nothing more than my Right, and ſhould the Company, diſregarding the Situation and Rights of this Family, refuſe their Approbation to my Requeſt, which is perfectly juſt and right, it will be highly inequitable.

" I am hopeful, that maturely weighing this Matter, your Excellency will give me the Management of the Affairs of the Nizamut, of my own Houſehold, and the Offices attached thereto, together with the Adminiſtration of the Adawlut and Phouſdarry within the Soubahs, which are my Right. This will be an Act of the higheſt Juſtice in the Gentlemen, and will engage my Gratitude, and that of all the helpleſs Dependants of this Family. (*a*)

(Signed at the End of the Conſultation)

" Warren Haſtings,
Rich[d] Barwell,
P. Francis,
Edw[d] Wheler."

To prove that the above Application of the Nabob Mobareck ul Dowlah was made for the Sake of Munny Bhegum,

Read, from Book 132, already delivered in, the following Letter from the Nabob Mobareck ul Dowlah to Mr. Haſtings, received 17th November 1777, beginning at Page 503 of the ſame Book.

" Letter from the Nabob Mobareck ul Dowlah. Received 17th November 1777.

" I have already repeatedly written you, that I can on no Account be ſatisfied that the Adminiſtration of the Nizamut Affairs ſhould be veſted in Mozuffer Jung, whilſt her Highneſs the Munny Bhegum, who is the Head and Patroneſs of the Family of my deceaſed Father, is living; yet you have nevertheleſs neglected to pay Attention to my Situation, and have left my Family under the Management of the aforeſaid Perſon, which is not only diſhonourable and diſgraceful to me, but highly detrimental to my Affairs.

" For Inſtance, Mozuffer Jung has lately told every Body in a Strain of Irony, " Let him," meaning me, " firſt ſecure the Point concerning which he has written Letters to the Governor, and then take on himſelf the Adminiſtration of the Affairs of the Niz*mut, but till this happens the Power is in my Hands.

* Sic in Orig.

" Reflect, my Patron, how great Uneaſineſs ſuch Speeches muſt occaſion to me. Before this he has alſo frequently mad* uſe of Expreſſions in the higheſt Degree inſufferable, which I have informed you of, but I am at a Loſs to conceive on what Principles of Juſtice you conſent to my Diſhonour and Detriment in an Affair wherein your Compliance with my Deſire could not be, in the leaſt Degree, hurtful to the Company, and would be of Advantage to me, and prefer the Satisfaction of Mozuffer Jung.

* Sic in Orig.

" I am hopeful you will not keep me longer in this painful Suſpence, but will be kindly pleaſed to write immediately to the Munny Bhegum, that ſhe take on herſelf the Adminiſtration of the Affairs of the Nizamut, which is, in fact, her own Family, without the Interference of any other Perſon whatever; by this you will give me compleat Satisfaction."

To prove that Mr. Haſtings reſcinded the Reſolution of the Council of the 2d March 1778, as before mentioned,

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(*a*) Vide Appendix, N° CXX.

Read,

Read, from Book 76, already delivered in, the following Extract of a Conſultation of the 5th March 1778, beginning at Page 595 of the ſame Book.

" Fort William, 5th March 1778.

" At a Council; Preſent, Secret Dept. Thurſday.
The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell,
Philip Francis,
Edward Wheler, } Eſquires."

" Read, the Proceedings of the 2d inſtant.

" Governor General.—I move, that the Reſolution paſſed in the laſt Conſultation, to wit, ' That the Nabob's Letter be referred to the Deciſion of the Honourable the Court of Directors, and that no Reſolution be taken here on the Subject of the Requiſitions contained therein, without their ſpecial Orders and Inſtructions,' be repealed, and that the Queſtion propoſed by me, in Conſultation 23d ultimo, namely, That the Opinions of the Members of the Board may be taken, whether the Requiſitions contained in the Nabob's Letter, recorded in that Day's Proceedings, ſhall be complied with or denied, may be reconſidered." (*a*)

Read, further Extract of the ſame Conſultation, beginning at Page 603 of the ſame Book.

" Reſolved, That the Reſolution paſſed in the laſt Council, viz. ' That the Nabob's Letter, recorded 23d ultimo, be referred to the Deciſion of the Honourable the Court of Directors, and that no Reſolution be taken here on the Subject of the Requiſitions contained therein, without their ſpecial Orders and Inſtructions,' be repealed." (*b*)

Read, further Extract from the ſame Conſultation, beginning at Page 605 of the ſame Book.

" The Second Queſtion contained in the Governor General's Motion being put:

" Agreed, That the Queſtion propoſed by the Governor General, 23d ultimo, viz. That the Opinions of the Members of the Board may be taken, whether the Requiſitions contained in the Nabob's Letter, recorded on that Day, ſhall be complied with or denied, may be reconſidered.

" Mr. Wheler and Mr. Francis having given their Opinions on the Original Queſtion in the laſt Conſultation,

" Mr. Barwell proceeds to deliver his Sentiments as follow.

" Mr. Barwell.—I am of Opinion, That as the Nabob is pleaſed to demand and aſſert the poſitive Rights of his Office as Nazim of the Provinces, and as he has been invariably acknowledged ſuch by the Company and this Government, I do not ſee upon what Ground we can deny his Requeſt; a Reference at this Time for the Orders of the Company would be an Evaſion reflecting on their Honour, and unbecoming the Juſtice of the Government.

" Governor General.—The Nabob's Demands are grounded on poſitive Rights, which will not admit of a Diſcuſſion.

" He has an inconteſtible Right to the Management of his own Houſhold.

" He has an inconteſtible Right to the Nizamut: It is his by Inheritance. The Dependants of the Nizamut, Adawlut, and of the Fouſdarry, have been repeatedly declared by the Company, and by this Government, to appertain to the Nizamut.

" For theſe Reaſons I am of Opinion, That the Requiſitions contained in the Nabob's Letter entered in Conſultation 23d ultimo ought to be complied with.

" Mr. Francis.—Since it has been reſolved that the Conſideration of the original Queſtion ſhould be reſumed, I deſire that the Secretary will read to the Board the repeated Letters already addreſſed to the Governor General by the Nabob on this Subject, previous to the laſt, as they will probably throw Lights upon it which are not before us at preſent.

" Governor General.—I muſt beg Mr. Francis's Pardon for objecting to the preſent Motion, as it does not ariſe out of any new Matter produced at this Meeting; and as theſe Letters, if they are ſuppoſed to contain any additional Lights, ought to have been conſidered by him before he gave his Opinion. I have no Objection to their being produced; the Letter Book containing the Perſian Correſpondence ought always to be before the Board, and this is the only Day in which I recollect that they were not lying upon the Table. My Objection goes only to the Loſs of Time which will be conſumed in tracing the Nabob's Letters which may have been written on this Subject, and in reading them to the Board. The Letter Books are now produced; I deſire that the Aſſiſtant Secretary will examine them, and ſhew Mr. Francis ſuch Letters as he finds contained

(*a*) Vide Appendix, N° CXXI. (*b*) Vide Appendix, ibid.

in them from the Nabob. This, I apprehend, will anſwer all the Purpoſes for which he can require them, and the Time of the Board will be ſpared.

" Mr. Francis.—I underſtood the original Queſtion was reſumed de novo. In delivering my former Opinion, I reſerved to myſelf a Right to alter it according to the Arguments which might be ſtated in the Courſe of the Debate. The Letters in Queſtion, if they are entered on the Perſian Correſpondence, might have been read while we have been talking upon the Subject. I generally have examined the Perſian Correſpondence, but do not recollect to have ſeen any Letter from the Nabob, ſtating, as he ſays, very fully, the Trouble and Uneaſineſs he ſuffers from the Nabob Mahomed Reza Cawn's being inveſted with the Offices he now holds. From what I have heard of his Conduct, and of thoſe Perſons who are moſt in his Confidence, and have greateſt Influence with him, I can eaſily believe that Mahomed Reza Cawn's Authority is a Reſtraint over him. When that Reſtraint is removed, I do not doubt that he will immediately become what he was before, 'An eaſy Prey to his menial Servants, whoſe utter Want of Ability, Integrity, 'and Attention, to render him in any Degree reſpectable, even in the Eyes of the Natives,' are well known to the Court of Directors. When the Rights of the Nabob to the Management of his Houſehold, and to the Exerciſe of the Great Offices dependant on the Nizamut, are ſo peremptorily declared, I ſhould have conceived that his Ability to judge, and act for himſelf, and his Capacity to execute Offices of ſuch eſſential Importance to the Welfare of the Country, would alſo have been conſidered by a prudent Government. I know with Certainty, that he is, in his own Perſon, utterly incapable of executing any of theſe Offices, nor does it follow, from any Acknowledgement of his Rights, that it ſhould not be the Duty of this Government to recommend to him wiſe and able Men, and ſuch as the Company themſelves are known to confide in, to ſupport, and carry on that Part of the publick Buſineſs which is ſtill left, or ſuppoſed to be left, with the Nazim. The Company will judge of the real Motives and Object of the Requiſitions brought before us in his Name, and how far ſuch an Addreſs from him will juſtify the Removal of a Miniſter whoſe Appointment has been expreſsly and in the higheſt Terms approved by them, on the 24th December 1776. The Secretary has yet pointed out to me but One Letter from the Nabob, which appears to have been received on the 17th November. In that Letter he ſays, 'I am hopeful you will not keep me longer in this painful Suſpence, but will be kindly pleaſed to write immediately to the Munny Begum, that ſhe take on herſelf the Adminiſtration of the Affairs of the Nizamut, which is in fact her own Family, without the Interference of any other Perſon whatſoever. By this you will give me complete Satisfaction.' The Way then to give this young Prince complete Satisfaction, if we can ſuppoſe ſuch Letters are really dictated by him, is to reſtore Munny Begum to the Adminiſtration of the Affairs of the Nizamut without the Interference of any other Perſon whatſoever; by this Requeſt it appears, how little he thought himſelf qualified Three Months ago to take upon himſelf the Offices which he now deſires to be inveſted with. I do not doubt that the Object of the preſent Meaſure is to reſtore Munny Begum, in Fact if not in Form, to the Power of which ſhe was diveſted by a former Act of this Government. The Merits of this Lady are well known to the Company; but it may be proper to repeat in this Place what the Court of Directors have, with great Reaſon, thought fit to ſay of her. 'Notwithſtanding ſuch vaſt Sums have been carried to the Nabob's Account, over and above his Stipend, in ſo ſhort a Space of Time, we obſerve, that in May 1775, there was not a Rupee in his Treaſury, though there were Demands upon him to a large Amount. This Circumſtance alone, were there no other Improprieties in the Conduct of Munny Begum, would juſtify her Removal from the Office of Guardian to the Nabob; becauſe it is evident, that under her immediate Superintendance great Part of his Allowance muſt have been embezzled, or very groſsly miſapplied.'

General Letter, 24th Dec. 1776, Par. 35.

General Letter, 24th Dec. 1776, Par. 32.

" Reſolved, That the Requiſitions contained in the Letter from the Nabob Mobareck ul Dowlah, entered in Conſultation 23d February, be complied with.

" Mr. Francis.—I diſſent from, and proteſt againſt this Reſolution, becauſe, in addition to all the other Reaſons expreſſed by me, it is a direct and poſitive Diſobedience of the Orders of the Court of Directors, expreſſed in their high Approbation of the Appointment of Mahomed Reza Cawn to his preſent Employment; and becauſe this important Reſolution is taken without any One Reaſon being aſſigned in Support of the Neceſſity or Expediency of it.

" Mr. Wheler.—I accede to every Objection pointed out by Mr. Francis, and likewiſe join with him in his Diſſent and Proteſt. Further, as the Nabob has thought proper at this Period to demand his poſitive Rights, and as thoſe Rights may probably prove much more extenſive than appears from the Queſtion now before the Board, I am confirmed in my former Opinion, that his Highneſs's Requeſt ought to be referred to the deliberate * Deciſſion of the Court of Directors, and not at preſent receive the Sanction and haſty Determination of this Board. (*a*)

* Sic in Orig.

" Signed at the End of the Conſultation,

" Warren Haſtings,
Rich[d] Barwell,
P. Francis,
Edw. Wheler."

(*a*) Vide Appendix, N° CXXI.

The

The Managers for the Commons desired to refer the House to Page 1062 of the printed Minutes, to prove that Mr. Hastings made a Disposition of the Salary of Mahomed Reza Cawn between the Munny Begum, the Rajah Goordass, and Sudder ul Huck Cawn: And also to refer the House to Page 973 of the printed Minutes, to prove that the Salary so divided was not taken from the Nabob's Stipend, but from the Fund of the East India Company.

Then the Managers for the Commons stated, they would next prove, that, in Consequence of the above Appointment, the Government of the Country was disturbed, Offices sold, Peculation practised, the Course of Justice impeded, and that Robberies and Murders prevailed through the Country; for which Purpose they proposed to read a Letter from Sudder ul Huck Cawn to Mr. Hastings, received the 1st of September 1778.

The Counsel for the Defendant objected to it, as not relevant to the Charge.

The Managers for the Commons being heard in Answer to the Objection, the House informed them, That whatever could prove the Inducement to the Appointment in Question, was Evidence; but the Consequences of the Appointment, not in Contemplation at the Time, could not be given in Evidence.

The Managers for the Commons stated, That it was a heavy Aggravation of the Offence that all the Mischiefs that were predicted from the Appointment, came to pass; and desired that an Extract of a Consultation of the 15th December 1779, might be read, to prove the Conduct of Munny Bhegum upon her Second Appointment.

The Counsel being asked if they persisted in their Objection, said, They objected to save Time, considering it totally irrelevant to the Charge; but rather than give the House the Trouble of an Adjournment, they consented that it might be read.

Read, from Book 56, already delivered in, the following Extract of a Consultation of the 15th December 1779, beginning at Page 418 of the same Book.

" Fort William, the 15th December 1777.

" At a Council; Present,
" The Honourable Warren Hastings, Governor General, President; Pub. Dept. Wednesday.
Richard Barwell,
Philip Francis, } Esquires.
Edward Wheler,
Sir Eyre Coote absent on a Visit to the different Stations of the Army.

Mr. Francis delivers in the following Minute.

Nabob Mobareck ul Dowlah, Mahomed Reza Cawn.

" Mr. Francis.—I must request the Attention of the Board to a short Recapitulation of the principal Steps taken, and Declarations made by the Nabob, and by this Government, in relation to the Removal of Mahomed Reza Cawn, and to the succeeding Distribution of the several Offices held by him.

" In a Letter received from the Nabob, on the 17th of November 1777, he desires that Munny Begum may be allowed to take on herself the Administration of the Affairs of the Nizamut, without the Interference of any other Person whatever; and adds, that by this the Governor will give him complete Satisfaction.

" In his next Letter he desires that Mahomed Reza Cawn may be removed, and expresses his Hopes, that 'as he himself is now come to Years of Maturity, and by the Blessing of God is 'not so devoid of Understanding, as to be incapable of conducting his own Affairs,' the Governor will give him the Management of the Affairs of the Nizamut, and of his own Household, together with the Administration of the Adaulet and Phouzdarey. Received the 12th of Feb. 1778.

" As the Court of Directors themselves have fully discussed the Claims and Pretensions stated in this Letter, I shall not attempt to add any Thing to their Observations thereupon.

" On the 7th of March 1778, a Letter from the Governor informs the Nabob, that it had been agreed, 'that his Excellency being now arrived at Years of Maturity, the Controul of his 'own Household, and of the Courts dependant on the Nizamut, and * and Phousdarry should be 'placed in his Hands;' and Mahomed Reza Cawn was directed, at the same Time, to resign his 'Authority to the Nabob. * Sic in Orig.

" In a Letter received from the Nabob, on the 4th of May 1778, 'he says he has made 'choice of Sudder ul Hoe Khan to fill the Station of Naib of his Audaulet and Phouzdarry, and 'of Rajah Gourdass for the Office of the Nizamut; and desires that Mahomed Reza Cawn's Salary 'may be divided between those Two Persons and the Two Begums.' On the Requests contained

'in

* Sic in Orig. in * Letter, and immediately complied with, I have nothing to add to the Remarks ſtated in my Minute of the 7th of May 1778, except that there could not be a groſſer Contradiction, than firſt to remove Mahomed Reza Cawn, on pretence of the Nabob's executing the ſeveral Offices himſelf, and immediately afterwards to appoint other Perſons to execute thoſe Offices, and at the ſame Time to give a conſiderable Portion of the Salary annexed to them to the Two Begums.

" Sudder ul Hoe Khan, in a Letter received 1ſt September 1778, ſays, His Highneſs himſelf is not deficient in Regard for me, but certain bad Men have gained an Aſcendancy over his Temper, by whoſe Inſtigation he acts. After complaining of the Slights he receives from the Nabob, he adds, 'Thus they cauſe the Nabob to treat me, ſometimes with Indignity, at others with 'Kindneſs, juſt as they think proper to adviſe him; their View is, that by compelling me to 'Diſpleaſure at ſuch unworthy Treatment, they may force me either to relinquiſh my Station, or to 'join with them and act by their Advice, and appoint Creatures of their Recommendation to the 'different Offices, from which they might draw Profit to themſelves.'

" In a ſubſequent Letter to the Governor Sudder ul Hoe Khan ſays, 'The Begum's Miniſters, 'before my Arrival, with the Advice of their Councellors, cauſed the Nabob to ſign a Receipt; in 'conſequence of which they received at Two different Times, near 50,000 R' in the Name of the 'Officers of the Audawlet, Fouzdarry, &c. from the Company's Sircar, and having drawn up 'an Account current in the Manner they wiſhed, they got the Nabob to ſign it, and then ſent 'it to me.' In the ſame Letter he aſſerts that theſe People have the Nabob entirely in their Power.

" On the 1ſt September 1778, the Governor informs the Nabob, that 'it is highly expedient 'that Sudder ul Hoe Khan ſhould have full Controul in all Matters relative to his Office, and 'the ſole Appointment and Diſmiſſion of the Sudder and Mofuſil Officers; and that his Seal 'and Signature ſhould be authentic to all Papers having Relation to the Buſineſs entruſted to 'him. I therefore intimate to you that he ſhould appoint and diſmiſs all the Officers under 'him, and that your Excellency ſhould not interfere in any one.'

" The Nabob in a Letter to the Governor, received 3d September 1778, ſays, 'Agreeably 'to your Pleaſure, I have relinquiſhed all Concern with the Affairs of the Fouzdarry and 'Audalet, leaving the entire Management of them in Sudder ul Hoe Khan's Hands.'

" Sudder ul Hoe Khan, in a Letter received 30th September, ſays, 'Yatibar Ally Cawn (Mun-'ny Begum's Chief Eunuch), from the Amount Salaries of the Officers of the Adawlet and 'Phouzdarry, which before my Arrival he had received for Two Months from the Cirkar, made 'Diſburſements according to his own Pleaſure; he had before cauſed the Sum of 7,400 Rupees, 'on Account of the Price of mine and my Paiſhcar's Kellauts, to be carried to account, and 'now continually ſends a Man to demand from me 4,300 and odd Rupees, as a Balance of the 'Price of Kellauts, and conſtantly preſſes me to take it from the Amount of the Salaries of the 'Officers of the Adawlat and Phouzdarry, and ſend it to him; and I ſhall be under the Neceſ-'ſity of complying. I mention this for your Information.'

" The Governor General's Letter to the Nabob, dated the 10th of October 1778, contains a Repreſentation ſo pointed, and ſo very juſt, of the fatal Effects which had attended the Nabob's interfering in the Adminiſtration of Juſtice, that I ſhall inſert it intire, but without any Comment; in fact, it ſpeaks too plainly to require one.

'At your Excellency's Requeſt, I ſent Sudder ul Hoe Khan to take on him the Adminiſtration 'of the Affairs of the Audaulut and Phouſdarry, and hoped, by that Means, not only to have 'given Satisfaction to your Excellency, but that through his Abilities and Experience theſe Affairs 'would have been conducted in ſuch Manner as to have ſecured the Peace of the Country, and 'the Happineſs of the People; and it is with the greateſt Concern I learn that this Meaſure is 'ſo far from being attended with the expected Advantages, that the Affairs, both of the Phouſdarry 'and Audaulut, are in the greateſt Confuſion imaginable; and daily Robberies and Murders are 'perpetrated throughout the Country.'

'This is evidently owing to the Want of a proper Authority in the Perſon appointed to ſuper-'intend them: I therefore addreſſed your Excellency on the Importance and Delicacy of the 'Affairs in queſtion, and of the Neceſſity of lodging full Power in the Hands of the Perſon 'choſen to adminiſter them; in reply to which your Excellency expreſſed Sentiments coincident 'with mine; notwithſtanding which, your Dependants and People, actuated by ſelfiſh and ava-'ricious Views, have, by their Interference, ſo impeded the Buſineſs, as to throw the whole 'Country into a State of Confuſion, from which nothing can retrieve it but an unlimited Power 'lodged in the Hands of the Superintendant. I therefore requeſt that your Excellency will give 'the ſtricteſt Injunctions to all your Dependants, not to interfere in any Manner with any Matter 'relative to the Affairs of the Adaulut and Phouzdarry, and that you will yourſelf relinquiſh all 'Interference therein, and leave them entirely to the Management of Sudder ul Hoe Khan. 'This is abſolutely neceſſary to reſtore the Country to a State of Tranquillity, and if your Ex-'cellency has any Plan to propoſe for the Management of the Affairs in future, be pleaſed to 'communicate it to me, and every Attention ſhall be paid to give your Excellency Satisfaction; 'in the mean Time I have given Directions to Sudder ul Hoe Khan to take the ſole Manage-'ment of them into his own Hands, and to apply aſſiduouſly to the Reſtoration of Tranquility 'and good Order in the Country; and I muſt requeſt that your Excellency will confirm them

' by ſimilar Orders to him, otherwiſe a Meaſure which I adopted at your Excellency's Requeſt,
' and with a View to your Satisfaction and the Benefit of the Country, will be attended with
' quite contrary Effects, and bring Diſcredit on me.'

" From the preceding Correſpondence I think it appears beyond Diſpute, that the Nabob himſelf has hitherto been a mere Cypher through the whole Tranſaction, or rather an Inſtrument in the Hands of Munny Begum, and others employed by *-them and for their Purpoſes only, to accompliſh the Removal of Mahomud Reza Cawn: That theſe People have made a moſt dangerous and iniquitous Uſe of the Nabob's Name and Authority while they had both at their Diſpoſal, and that the Governor General himſelf was convinced that the Interference of the Nabob, or of thoſe who acted for him in the Affairs of the Nizamut, had been attended with the moſt ruinous Conſequences, which he accordingly endeavoured to obviate, by directing him not to concern himſelf in any Shape in the Conduct of the Buſineſs intruſted to the Naib Soubadar. * Sic in Orig

" With reſpect to the Nabob I ſhall only obſerve, that his Letters involve him in a very diſgraceful Dilemma; if * could believe it poſſible, that freely, and of his own mere Motion, he could recommend, ' That Munny Begum ſhould take on herſelf the Management of the Affairs ' of the Nizamut without the Interference of any other Perſon;' that he ſhould in one Letter deſire to conduct the Affairs of the Nizamut himſelf, and in the next, that a Naib ſhould be appointed to conduct them for him, I ſhould give little Credit to the Aſſertion with which theſe Requeſts are accompanied, viz. That he is not devoid of Underſtanding. He may arrive at Years of Maturity; but if at the Age of Twenty-one he does not perceive the Folly and Abſurdity of ſuch Propoſitions and ſuch Contradictions, I ſhould deſpair of his ever arriving at Years of Diſcretion. On the other Hand, if theſe Letters are written for him, which I am thoroughly ſatisfied is the Caſe; if he has no Will of his own, and if the Rights and Authorities demanded in his Name are in reality to devolve to Munny Begum, to her chief Eunuch, and to the other Perſons of whoſe Miſconduct the late Naib Soubadar made ſo many Complaints to the Governor, what Opinion are we to entertain of his Excellency's Underſtanding and Veracity? or on what Ground can we commit the Management of ſuch important Affairs to a young Man ſo dependant on Munny Begum, and evidently ſo incapable of judging or acting for himſelf? * Sic in Orig.

" I now proceed to the laſt Orders of the Court of Directors. They conſider the whole Subject in the ſame Light that I do; they acknowledge no Right of Inheritance in the Nabob; they underſtand every oſtenſible Acceſſion to his Power as a real one to that of Munny Begum; they deem it for the Welfare of the Country that the Office of Naib Subadar ſhould be continued; and they poſitively direct us forthwith to ſignify to the Nabob their Pleaſure, that Mahomed Reza Cawn be immediately reſtored to it.

" But notwithſtanding they had a thorough Knowledge of the Facts, and were perfectly acquainted with all the Characters, they certainly were not aware of the Poſſibility of ſuch a Caſe as now exiſts, or they would have provided againſt it; they did not foreſee that their poſitive Orders would not be enforced by this Government, or that ſuch Orders would be diſobeyed.

" When they read the Nabob's late Letters, the falſe and frivolous Pretences on which he ventures to counteract and defeat an Arrangement which the Company have deemed neceſſary for the Welfare of the Country, will aſtoniſh them no leſs than our Acquieſcence in ſuch Pretences.

" Firſt he ſays, ' That he had formerly written to the Governor that he had no further Occaſion ' for a Naib, and would himſelf conduct his own Affairs;' and he aſſerts, ' that ſince the Diſmiſſion ' of Mahomed Reza Cawn to the preſent Time, the Buſineſs had been conducted under his ' own immediate Direction.' Is it poſſible he ſhould forget, that in conſequence of Sudder ul Hoe Cawn's Appointment, the Governor had expreſsly required him not to interfere; and that the Nabob had thereupon relinquiſhed all Concern with the Affairs of the Phouzdarry and Adaulut, and left the entire Management of them in the Hands of the Naib? In his next Letter, he talks of the Rights of his deceaſed Father as well as his own, as if the Office of Nazim were hereditary.

" He talks of his Claims on the Company as if he held by ſome other Title than their Friendſhip and Protection; or as if either he or his Father had any Right in the Subadary beyond what they derived from the voluntary Acts of the Company, or of their Repreſentatives. He ſays, he never will admit Mahomed Reza Cawn to poſſeſs any Degree of Authority in his Family; and that as Sudder ul Hoe Khan is dead, he ſhall take upon himſelf the Management of the Buſineſs. In his laſt Letter he obſerves that Mahommud Reza Cawn was at firſt appointed on account of his the Nabob's tender Age, which required the Aſſiſtance of a Naib; forgetting not only that a Naib Subbadar was appointed, and the Office executed without Objections, during the Government of his Predeceſſors, but that he himſelf had ſubmitted, about a Year ago, to the Appointment of Sudder ul Hoe Khan, and that the letter * continued to execute his ſeveral Offices till his Death, with Powers totally and unavowedly independant of the Nabob. He forgets, or perhaps he does not know, that the Treaty of March 1770, by which alone his Rights, whatever they may be, were created, provides for the Appointment of a Naib of the Provinces, to be inveſted with the Management of Affairs; and that this Naib was appointed at the Inſtance of the Governor and the Gentlemen of the Council. In the ſame Letter the Nabob declares, that he adminiſters the Affairs of the Nizamut by his own Au-

thority, and ſhall do ſo; and that he never can, on any Account, agree to the Appointment of Mahomed Reza Cawn to the Naib Soubaſhip.

" The Governor General's Letter of the 10th October 1778, will ſhew the Company not only in what Manner this important Buſineſs is likely to be conducted, and what Opinion the Governor General himſelf entertains of the Nabob's Capacity, but, that neither were his ſuppoſed Rights and the Maturity of his Age attended to at that Time, nor his perſonal Inclinations conſulted; notwithſtanding all his Claims to the Phouſdarry and Adaulut, the Governor's Pleaſure diveſted him of both, and left him without an Option.—Theſe, however, are not the Firſt and immediate Objects of Conſideration; a new and unexpected Queſtion is now before us. The Company's Orders are diſobeyed on pretended Principles, which ſuppoſe the Exiſtence of an Authority in theſe Provinces, independant of the Authority of Great Britain over them.

" That of the Court of Directors is the only Medium by which the Subjection of Bengal to Great Britain is held and ſecured; in Oppoſition to it, the Nabob declares that he acts by his own Authority, and ſhall continue to do ſo.

" I do not know what Name the Law will give to Diſobedience of the Company's Orders by this Board, or whether ſuch Diſobedience, directly avowed by ourſelves, would not be leſs criminal, and in its Conſequences leſs dangerous, than under the Form which it now aſſumes; but every Man muſt ſee which Way the preſent Example leads, and what Uſe may be made of it. If ſome vigorous Meaſure be not immediately taken by the Company to diſarm the Nabob of all Means of Reſiſtance, or at leaſt to deter him from attempting it again, their Dominion over Bengal is not ſecure. I am ſorry this inexperienced young Man ſhould have been ſo unhappily adviſed: He does not know on what dangerous Ground he treads: He forgets himſelf too groſsly when he diſobeys the Company's poſitive Orders, and in the ſame Breadth* tells the Governor General 'you are the Maſter, and my Patron, and I can take no Meaſure without firſt communi-'cating it to you.'

* Sic in Orig.

" The Company will conſider, whether this avowed Diſtinction between them and their local Repreſentative, be not ſomething more than diſreſpectful; or whether their Injunctions would have been ſlighted if they had been accompanied by the uſual and proper Requiſition on the Part of the Governor General and Council, which I repeatedly recommended without Succeſs.

" Other and more alarming Reflections will naturally ſucceed.

" The oſtenſible Shadow of the Nabob's Authority may, in Time, find a Subſtance to ſupport it. If the Spirit of Party and Faction, which prevails through every Department of Government, and through every other Rank of Life, ſhould reach to the Sepoys, it would be a painful, but not a difficult Taſk, to count the few remaining Steps which lead, inevitably, from that State of Things to final Diſſolution. At whatever Diſtance that Danger may appear to be, yet if the Courſe we are in points directly to it, I truſt that the Wiſdom of the Company will not deem it unworthy of their inſtant Conſideration. The ſame Meaſures by which a great and imminent Miſchief might have been prevented, will not be ſufficient to correct or retrieve it.

" Mr. Francis—I now move that it may be reſolved, that the preceding Letter from the Nabob is highly diſſatisfactory to the Board, and that the Governor General be requeſted to ſignify the ſame to him; and to demand, in our Name, his immediate Compliance with the Orders of the Company.

" Mr. Wheler.—I agree to the Motion.

" Mr. Barwell.—If any Advantage was ſtated to derive to the Company by controuling the Will of the Nabob, it might be a Queſtion with me how far the Occaſion would vindicate the Compulſion propoſed; but when no national Benefit can accrue, nor is ſtated, I cannot give my Aſſent to a very * acceptionable Meaſure.

* Sic in Orig.

" Governor General.—I ſhall take another Occaſion to deliver my Sentiments at large on the Subjects of this Motion. For the preſent I ſhall content myſelf with declaring, that I have gone to the utmoſt Lengths preſcribed to me by the Company's Orders and by my Senſe of my Duty, and that I will not go beyond them.

" Mr. Francis's Motion reſolved in the Negative. (*a*)

" Signed at the End of the Conſultation,

" Warren Haſtings,
Richard Barwell,
P. Francis,
Edward Wheler."

The Managers for the Commons ſtated, they would next produce another Order of the Court of Directors cenſuring the above Conduct of Mr. Haſtings, in a Letter bearing Date 27th May 1779, and then they would prove the Motives for the Re-appointment of Munny Begum.

(*a*) Vide Appendix, N° CXXII.

The

The Counſel for the Defendant ſubmitted, whether this could apply to any Matter of Charge, more than the Evidence laſt read.

Read, from Book 44, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Calcutta in Bengal, dated 27th May 1779.

" Par. 36. In the 17th Paragraph of our Letter of the 4th of February 1779, we ſignified our Apprehenſion that the Removal of Mahomed Reza Khân was intended in order to bring forward Munny Begum: The Event has juſtified the Suppoſition; but having ordered Mahomed Reza Khân to be reſtored, and his Salary to commence on the Day of the Arrival of our Letter of the 4th of February, at Fort William; we now direct, and it is our poſitive Order, that the Salary of Seventy-eight thouſand Rupees per Annum, granted by you to Sudder ul Huck Khan; of Seventy-two thouſand Rupees per Annum granted to Rajah Goordaſs, as Naib of the Nizamut; and the Encreaſe or additional Amount of Seventy-two thouſand Rupees per Annum, granted to Munny Begum; alſo Thirty-ſix thouſand Rupees per Annum, added to the Allowance of Baboo Begum, be entirely ſtruck off and diſcontinued, from the Day of the Arrival of our ſaid Letter of the 4th February 1779; and that you do not, on any Account or Pretence whatever, make any additional Allowances or Payments to any of the above Perſons, or to any Perſon or Perſons to be employed in the Nabob's Houſehold or about his Perſon, or to tranſact the Affairs of his Excellency, contrary to the Letter and Spirit of theſe our Inſtructions.

Signed at the End of the Letter,

" George Cuming, W. Devaynes,
Henry Savage, L. Sulivan,
Samuel Peach, John Harriſon,
Charles Boddam, J. Purling,
Francis Baring, H. Fletcher,
J. Stables, John Michie,
George Tatem, J. Manſhip,
Joſ. Sparkes."

Read, from Book 48, already delivered in, the following Letter from Mr. Haſtings to the Nabob Mobarek ul Dowlah, beginning at Page 2 of the ſame Book.

" To the Nabob Mobarek ul Dowlah.

Written the 10th Feb. 1780.

" I have received your Letter, in which you inform me, &c. &c.

" The Company, whoſe Orders are peremptory, have directed that Mahomed Reza Cawn ſhall be reſtored to the Offices he held in January 1778. It is my Duty to repreſent this to your Excellency, and to recommend your Compliance with their Requeſt, that Mahomed Reza Cawn may be inveſted with the Offices aſſigned to him under the Nizamut by the Company.

" By the Letters lately arrived from England, I have received Directions to withdraw the Penſions which were aſſigned to Muney Begum and Baboo Begum in January 1778. By theſe Letters the Orders reſpecting Mahomed Reza Cawn are repeated; and I ſtrongly recommend to your Excellency to comply with every Part of them that depends upon you. Depend upon my Friendſhip for you, and be aſſured of my conſtant Regard for your Honour and your Welfare.

" For further Particulars, and a full Explanation upon every Point, I refer you to Sir John D'Oyly, who will deliver you this Letter.

Read, the following Extract from Mr. Haſtings's Defence before the Houſe of Commons, to the Charge intituled 'Mahomed Reza Cawn,' beginning at Page 542 of the MS.

" Sir John D'Oyley's Recital.

" I was appointed Reſident on the Reſignation of Mr. Byam Martin, in the Month of January 1780, and took Charge about the Beginning of February of the ſame Year.

" The Subſtance of the Inſtructions I received was to endeavour by every Means in my Power to conciliate the good Opinion and Regard of the Nabob and his Family, that I might be able to perſuade him to adopt effectual Meaſures for the better Regulation of his Expences, which were underſtood to have greatly exceeded his Income; that I might prevent his forming improper Connections, or taking any Steps derogatory to his Rank; and, by every Means in my Power, ſupport his Credit and Dignity in the Eyes of the World; and with reſpect to the various Branches of his Family, I was inſtructed to endeavour to put a Stop to the Diſſenſions which had too frequently prevailed amongſt them. The Nabob, on his Part, was recommended to pay the ſame Attention to my Advice as he would have done to that of the Governor General in Perſon.

" Some

" Some time (I think) in the Month of February of the ſame Year, I received a Letter from Mr. Haſtings, purporting that the critical Situation of Affairs requiring the Union, and utmoſt Exertion of every Member of the Government, to give Vigour to the Acts neceſſary for its Relief, he had agreed to an Accommodation with Mr. Francis; but to effect this Point, he had been under the Neceſſity of making ſome painful Sacrifices, and particularly that of the Reſtoration of Mahomed Reza Khan to the Office of Naib Soubah, a Meaſure which he knew muſt be highly diſagreeable to the Nabob, and which nothing but the urgent Neceſſity of the Caſe ſhould have led him to acquieſce in; that he relied on me to ſtate all theſe Circumſtances, in the moſt forcible Manner, to the Nabob; and to urge his Compliance, aſſuring him that it ſhould not continue longer than until the next Advices were received from the Court of Directors.

* Sic in Orig.

" Never did I experience a more diſagreeable a* Taſk; ſo reluctant was the Nabob to concur, and ſuch Indignation did he expreſs at being again ſubjected to ſo diſagreeable a Situation, that I more than Once deſpaired of Succeſs, and apprehended that he would, as he threatened, repair to Calcutta, and appeal perſonally to the Juſtice of the Council; and nothing, I am perſuaded, would have induced him to acquieſce but my Aſſurances to him, on the Part of the Governor General, that it was only a temporary Meaſure abſolutely neceſſary for the Welfare of the State, and ſhould be done away as ſoon as that Neceſſity was removed. The Letter, which contained the Nabob's Acquieſcence, will prove how much he felt himſelf injured by it.

" Mahomed Reza Khan was accordingly reinſtated in all his Offices, and the Nabob again reduced to the Situation of a mere Cypher. He was then 23 Years of Age.

" About the Month of June 1781, Mr. Haſtings being then at Moorſhedabad, communicated to me his Intention of performing his Promiſe to the Nabob, by reſtoring him to the Management of his own Affairs; and at the ſame Time gave me Inſtructions, with the Concurrence of the Nabob, to make a minute Inveſtigation into the Nabob's Accounts, and to concert with him a Plan for the Reduction of his Expences within his Income; he alſo drew up certain Articles of Inſtruction for the Nabob's Conduct, and the Management of his Affairs. This Change was by no Means agreeable to me, as I was ſenſible it drew on me a great Weight of Reſponſibility; and that the Reform which I had engaged to uſe my Endeavours to bring about, would not only be a laborious and arduous Undertaking, but ſubject me to the Enmity of all thoſe who muſt ſuffer by it. I however undertook it, and the Nabob, at my Requeſt, did order his Accountants to furniſh me with whatever Papers I ſhould call for. Theſe were very voluminous, and I found, on Inveſtigation, that his Diſburſements exceeded his Stipend about Three Lacks of Rupees per Annum. I ſet about to form a Plan of Reduction, and requeſted of the Nabob to do the ſame; and when both were finiſhed we compared them, and from both, by mutual Agreement, fixed all his Expences on ſuch a Footing as to come within his Income; doubtleſs this occaſioned great Diſtreſs to many, but the Nabob ſoon found the Benefit, in being enabled to live much better than he had ever done before.

" During the Adminiſtration of Mahomed Reza Khan it had been a conſtant Subject of Complaint from him, and of Repreſentation to the Nabob from me, that many of thoſe of whom he made Companions, were Perſons neither intitled by their Rank in Life, or by the Goodneſs of their Characters, to ſuch a Diſtinction; and indeed they frequently led him into very improper and diſgraceful Acts: Alſo, that many Europeans made it a Practice to viſit the Nabob, in Hopes of receiving Preſents from him; and, to my Knowledge, ſeveral European Servants had intruded themſelves into the Nabob's Company as Gentlemen, and, through his Ignorance, had been treated as ſuch by him. Theſe Circumſtances I repreſented to the Governor General, who made it a Point with the Nabob to avoid it in future, by informing himſelf, from me, of the different Characters who were deſirous of viſiting him. To this he chearfully agreed; and I never once objected to any Perſon, in the Character of a Gentleman, viſiting the Nabob. He was pleaſed alſo to remove from about his Perſon the other Parties complained of.

" The Nabob did actually diſavow and declare, with a moſt ſolemn Oath, that he never authorized any Perſon whatever to make an Offer to give up any Part of his Stipend; and never did I ſee Expreſſion of Aſtoniſhment painted in the Countenance of any Perſon more ſtrongly than in that of the Nabob when he firſt heard it; his Remark was, 'How is it poſſible to ſuppoſe ſuch 'an Idea could ever be entertained, when I am already ſo much ſtraitened by the Inadequacy of 'my Income to my Diſburſements, and have been continually applying for Relief from my Dif-'ficulties.' He was ſo enraged at the Circumſtance, as to baniſh the Perſon from his Preſence."

The Managers for the Commons ſtated, that they would next prove, that Mr. Haſtings, in diſobeying the Company's Orders, and again removing Mahomed Reza Cawn, did it under Pretence of the Nabob's Liberty, whereas in Fact it was to put him under the Management of Sir John D'Oyley; for which Purpoſe they deſired that an Extract of a Conſultation of the 6th July 1781, might be read.

The Counſel for the Defendant repeated the ſame Ground of Objection.

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The Managers for the Commons being heard in Anſwer to the Objection, the Counſel were aſked, whether they did or did not conſent that the Paper ſhould be read?

The Counſel for the Defendant anſwered, that they conſidered the Evidence offered as entirely foreign to the Charge; if, however, the Managers deſired it to be read, they might read it.

Read, from Book 36, already delivered in, the following Extract of a Conſultation of the 6th July 1781, beginning at Page 63 of the ſame Book.

" Fort William, 6th July 1781.

Secret Dept. Friday.

At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
and Edward Wheler Eſquire.
Lieutenant General Sir Eyre Coote abſent on Command at Fort Saint George.

Governor General's Minute and Accompaniment.

" The Governor General reports to the Board, that a Perſon of the Name of Meerza Muſeta is lately arrived at the Preſidency, charged with a confidential Commiſſion from the Nabob Mobareck ul Dowla, which is contained in the accompanying Papers; and he requeſts that they may be taken into immediate Conſideration, and a Deciſion paſſed upon them before his Departure.

" The Requiſition made by the Nabob, as the Inference from his Papers, is, that he may be permitted to diſpoſe of his own Stipend, without being made to depend upon the Will of another. We have been ſo much in the Habit of calling him a Minor, that the Denomination ſeems to have grown into a confirmed Opinion with the Length of Time which has advanced him to the Years of Maturity. He is now arrived at that Time of Life when a Man may be ſuppoſed capable, if ever, of managing his own Concerns. He is near Twenty-ſix Years of Age, and is the Father of Eight Children; and, as I am informed, his Underſtanding is much improved of late by an Attention to his Education; theſe are Circumſtances which give him a Claim to the uncontrouled Exerciſe of domeſtic Authority, unleſs it is intended to keep him in a State of perpetual Pupilage. It may reaſonably be ſuppoſed that he will pay greater Regard to a juſt Oeconomy in his own Family than has been obſerved by Muzuffer Jung, who is an Alien to it, or by his Sons, to whom he has committed the principal Management of the Nabob's Houſehold, and who, in Years and Experience, are inferior to him, and in Capacity not his Superiors.

" The Governor General, for theſe Reaſons, recommends it to the Board, that the Nabob Mobareck ul Dowla be entruſted with the excluſive and entire Receipts and Diſburſements of his Stipend, and the uncontrouled Management and Regulation of his Houſehold:

" That Muzuffer Jung be immediately diveſted of the Office of Comptroller, or Superintendant of the Nabob's Houſehold, and of all Authority and Interference therein, and that he be required to deliver over to the Reſident of this Government at the Durbar the Accounts of that Office, who is to be inſtructed to demand them, and to ſee them clearly and finally adjuſted with the Nabob.

" Although the Governor General has propoſed this Alteration in Favour of the Nabob generally, he is aware that ſo ſudden and unlimited a Diſpoſal of a large Revenue may at firſt encourage a Spirit of Diſſipation in the Nabob, which it may be neceſſary to guard againſt, and which will be beſt effected by a mild but firm Interpoſition from our Government. For this Purpoſe, if the Board ſhould approve of it, the Governor General will, on his Arrival at the City, endeavour to obtain the Nabob's Conſent for eſtabliſhing ſuch a Plan for the Regulation and equal Diſtribution of his Expences as ſhall be adapted to the diſſimilar Appearances of preſerving his Intereſts and his Independence at the ſame Time. (*a*)

W. H.

" Signed at the End of the Conſultation,

Warren Haſtings,
Edwd Wheler."

(*a*) Vide Appendix, N° CXXIII.

Read, the following Extract of a Conſultation of the 20th July 1781, beginning at Page 147 of the ſame Book.

" Fort William, 20th July 1781.

Secret. Dep. Friday.

" At a Council; Preſent,
Edward Wheler Eſquire;
The Honourable the Governor General abſent on a Viſit to the Northern Provinces;
Lieutenant General Sir Eyre Coote, abſent on Service at Fort St. George.

" Heads of Inſtructions from the Governor General to the Nabob Mobarek ul Dowlah, reſpecting his Conduct for the Management of his Affairs.

" 9th. Theſe I make the Conditions of the Compliance which the Governor General and Council have yielded to your late Requiſition. It is but juſt that you ſhould poſſeſs what is your acknowledged Right: But their Intention would be defeated, and you would be in a worſe Situation, if you were to be left a Prey, without a Guide, until you have acquired Experience, which, to the Strength and Goodneſs of your Underſtanding, will be the Work of but a ſhort Period, to the Rapacity, Frauds, and Artifices of Mankind. You have offered to give up the Sum of Four Lacks of Rupees, to be allowed the free Uſe of the Remainder of your Stipend: This we have refuſed, becauſe it would be contrary to Juſtice. You ſhould conſider this as a Proof of the Sincerity of the above Arrangements which have been recommended to you, and of their Expediency to your real Intereſts; and your Attention to them will be a Means of reconciling the Company to the Reſolution which we have taken, and which will be reported to them in a Light very hurtful both to you and to us, if an improper Effect ſhould attend it. Theſe I have ordered Sir John D'Oyley to read in your Preſence, and to explain them to you, that no Part of them may eſcape your Notice; and he has my poſitive Orders to remonſtrate to you againſt every Departure from them.

" Upon all theſe Occaſions I hope and expect that you will give him a particular and cordial Attention, and regard what he ſhall ſay, as if ſaid by myſelf; for I know him to be a Perſon of the ſtricteſt Honour and Integrity. I have a perfect Reliance on him; and you cannot have a more attached or more diſintereſted Counſellor. Although I deſire to receive your Letters frequently, yet as many Matters will occur which cannot ſo eaſily be explained by Letters as by Converſation, I deſire that you will, on ſuch Occaſions, give your Orders to him reſpecting ſuch Points as you may deſire to have imparted to me; and I, poſtponing every other Concern, will give you an immediate, and the moſt ſatisfactory Reply concerning them. (*a*)

" Signed at the End of the Conſultation,

Edwd Wheler."

To prove the further Support given by Mr. Haſtings to the Munny Begum, the Managers for the Commons deſired that a Letter from Mr. Haſtings to the Court of Directors, dated 3d Nov. 1783, and written without the Knowledge of his Colleagues, might be read.

The ſame was accordingly read from Book 113, already delivered in.

" To the Honourable Court of Directors of the Honourable United Eaſt India Company.

" Fort William, 3d Nov. 1783.

" Honourable Sirs,

" I humbly and earneſtly ſolicit your favourable Attention to the encloſed Letter addreſſed to me for the Purpoſe, as I underſtand, of a Reference to your Honourable Court from Munney Beegum, the principal Widow of the Nabob Meer Mohummud Jaffer Khawn, and once the Directreſs of his Houſehold. This Introduction to your Notice I have frequently promiſed to give to her Claims, and I reluctantly yield to the Obligation which her preſent Solicitation, grounded on my Engagement, impoſes on me, to preſent them at a Time which, on many Accounts, I fear may prove unpropitious to them; but the Preſſure of ſevere Neceſſity will not always wait the Delays which Policy may recommend for the better Aſſurance of Succeſs, and many Years of her Life have elapſed ſince ſhe firſt looked to your Juſtice and Benevolence for the Alleviation of her Sufferings. Theſe are not to be conceived by thoſe who have not a near Acquaintance with the Modes of Female Life in thoſe Countries where the Religion of Mahomed prevails, and among Women of the moſt elevated Rank; her's is of that Eſtimation in theſe Provinces. Her Education, and the Confidence of her deceaſed Huſband, were the Cauſes of her being placed, by his Appointment, in the Charge of his Family. How ſhe was removed from it her Letter mentions, but delicately ſuppreſſes the Indignities which attended her Privation of Authority. You, Honourable Sirs, will eaſily turn to their Place on our Records, and will remember, without

(*a*) Vide Appendix, N° CXXIV.

any

any Reference, the general Subject of them. You will alſo remember how, unfortunately for her Eaſe, Intereſt, and Dignity, I made her the Inſtrument of effecting the Regulations which formed the Subſtance of your Firſt Command to me on my Acceſſion to the Office of Preſident, under the former and ancient Syſtem of your Government. I hope I ſhall not tranſgreſs the Lines of Humility in claiming ſome Merit with your Honourable Court, and a Return yet due to me for the ſcrupulous and ſtudied Obedience which I paid to thoſe Commands. I was, by private Letters received at the ſame with them, aſſured that it was ſuſpected generally that I ſhould elude the Performance of them. I performed them moſt literally; and drew upon me by it a Hoſt of Enemies, ſupported even in the Place where my Fidelity merited a more generous Treatment. She too became the Victim of your Policy, and of the Reſentments which ſucceeded. Something too ſhe owed of the Source of her Misfortunes to the Belief of the Perſonal Gratitude which ſhe might entertain for the publick Attention which I had ſhewn to her. Yet, expoſed as ſhe was to a Treatment which a Ruffian would have ſhuddered at committing, and which no Recollection of paſt Enmities ſhall impell me to believe, even for a Moment, proceeded from any Commiſſion of Authority, ſhe ſtill maintained the Decorum of her Character; nor even then, nor before, nor ſince that Period, has the Malice of Calumny ever dared to breathe on her Reputation.

" Pardon, Honourable Sirs, this Freedom of Expoſtulation. I muſt in honeſt Truth repeat that your Commands laid the Firſt Foundation of her Misfortunes. To your Equity ſhe has now Recourſe through me for their Alleviation, that ſhe may paſs the Remainder of her Life in a State which may at leaſt efface the Remembrance of the Years of her Affliction; and to your Humanity ſhe and an unſeen Multitude of the moſt helpleſs of her Sex cry for Subſiſtence.

" It is proper to apprize your Honourable Court, that as this Addreſs is written without the Knowledge of the other Members of the Council, ſo neither ſhall I make any Communication to them of the Letter which it encloſes. I am now the only remaining Member of your Government, who was formerly a Party in the Diſſentions of which Munny Beegum was the Object, and perhaps the only one of the preſent Board who have any Knowledge either of her Pretenſions, or, if ſhe has any, of her Demerits. The Virtues of her Sex are ſuch as in their Nature depreſs their Poſſeſſors in Silence and Obſcurity, and ſome Years have paſſed ſince ſhe ceaſed to be an Object of Notice. Were I to bring her Claims at this Time before the Board, whether for the Purpoſe of requiring their effective Sentiments upon them, or ſimply for official Information, in either Caſe their Opinions if oppoſite to mine would be hoſtile to her, and become the Seeds of future and durable Prejudices in the Breaſts of thoſe who may ſoon become the Diſpoſers of her Fate; and to whom, if they ſucceed to the full Powers of my Office, I ſhould wiſh to bequeath the ſame Spirit of Kindneſs which I have ever felt and manifeſted to the Family of Jaffer Ally Cawn. On this Occaſion it will better become me to commit and avow an Informality, than by a more regular Conduct to involve an innocent and deſerving Perſon in the Hazard of future Evils.

" I have the Honour to be,
Honourable Sirs,
Your moſt obedient and moſt faithful Servant,
Warren Haſtings."

Then the Managers for the Commons deſired that an Extract of a Letter from Munny Begum to Mr. Haſtings might be read.

The Counſel for the Defendant deſired the Whole of the Letter might be read.

The ſame was accordingly read, from the ſame Book.

" Tranſlation of Arzee from the Nabob Munney Begum, the Widow of the Nabob Meer Mohummud Jaffier Khawn, to the Governor General.

" The uſual Introduction.

" My Claims on the Company and the Rulers of this Country are too well known to require that I ſhould here enlarge on them. The Attachment of my Huſband, the Nabob Meer Mohummud Jaffier Khawn, to the Company, the Services which he rendered them, and his anxious Concern for their Proſperity, even from the Commencement of their Diſputes with Coſſim Ally Khawn to the Hour of his Death, are boundleſs, and ſuch as I ſhall not attempt to deſcribe; they are preſerved in the Records of the Company. During the Life of my Huſband, Jaffier Mohummud Khawn, and of our Son, Nujim ul Dowla, who by Favour of the Company was, according to the ancient Cuſtom of the Country, appointed Nazim of Bengal, with an eſtabliſhed Salary of Fifty-three Lacks, Eighty-ſix thouſand and one hundred thirty-one Rupees, I was the Miſtreſs of the Family, and uncontrouled in my Expences. I poſſeſſed, beſides, for my own ſole and ſeparate Benefit, the Management of ſeveral Khaſs Mahals, or Freehold Diſtricts, and other Lands of great Value. So long I continued exempt from every Hardſhip and Inconvenience. Afterwards, Seif ul Dowla ſucceeded to the Nizamut; his Salary was firſt ſettled at Forty-one Lacks, Eighty-ſix thouſand and one hundred thirty-one Rupees, but was ſoon afterwards reduced

to

to Rupees Thirty-two Lacks. During his Time I continued at the Head of the Women, Relations and Dependants of the Two deceaſed Nabobs; and however fallen, continued to lead my Life in tolerable Eaſe. I comforted myſelf with the Conviction, that the Honourable Company, in due Attention to the Merits of Jaffier Mohummud Khawn, would never be negligent in promoting the Welfare of his Family. In his laſt Hours indeed he ſent for me, and aſſured me that his Merits with the Company were ſo well eſtabliſhed and acknowledged, that whilſt they ſhould continue the Rulers of this Country they would be the careful Guardians of his Honour and Family. And after both his Deceaſe and that of Nujim ul Dowla, Lord Clive came to my Houſe, and gave me ſimilar Aſſurances. He told me that though nothing could compenſate for the Loſs of the Two deceaſed Nabobs, yet that while the Company's Power in this Country continued, it ſhould be extended to the Care and Preſervation of the Honour and Family of the Nabob; and that the Gentlemen inveſted with the Government of this Country would always attend to me, and conſult my Welfare and Happineſs. So far his Aſſurances were verified, that during the Life of the Nabob Seif ul Dowla, neither I, nor the Women of the deceaſed Nabobs, who now depended on me, were ſubjected to any great Inconveniencies: In the Bengal Year 1179, when the Stipend of the Nizamut was ſettled at Sixteen Lacks of Rupees, you viſited the City: Alarmed by ſo great a Deduction of the Salary, I laid before you the Circumſtances and Situation of our Family, and repreſented to you the Numbers who depended on me for Subſiſtence: As you were early and intimately acquainted with the Circumſtances of our Houſe, you attentively conſidered my Situation, and with a benignant Regard to my Eaſe and Dignity were pleaſed to grant me a Salary of One Lack forty thouſand Rupees, excluſive of the Sum of Sixteen Lacks which had been ſettled as the Stipend of the Nizamut. From thence I was enabled with whatever Difficulty to ſubſiſt myſelf, and to furniſh a bare Support, if nothing more, to the numerous and honourable Relations of the Two deceaſed Nabobs. In the Bengal Year 1182, when the new Gentlemen arrived from England, great Contentions aroſe between the Members of Council, and in the Conſequences of theſe were unhappily involved many of the Natives of this Country. Though no Offence had been imputed to me, yet becauſe in Attention to the Deſerts of Meer Jaffier, you like your Predeceſſors were pleaſed to favour me with your Protection, the new Gentlemen in the Month of Jeit 1182, annulled my Salary. So conſiderable a Deduction from what was before only a bare Subſiſtence, reduced us, notwithſtanding the Rights which we poſſeſſed, to a State of extreme Diſtreſs; unable to provide for the many Relations and Dependants who looked up to me for Support, I frequently repreſented my Afflictions to you. You comforted me with Promiſes of Aſſiſtance. Relying on theſe, and never doubting that you would kindly conſider my wretched Situation, I have, by borrowing, and by the Sale of my Effects, thus long contrived to ſubſiſt myſelf, and ſupport my Relations and Dependants; but the accumulated Diſtreſſes which I ſuffer from the Importunities of my Creditors, and the Difficulties under which I labour, are now beyond all Bounds. I have not the Means to ſatisfy the one, or Power to bear the other. Affliction ſeems to threaten a Period to my Days. It is incumbent upon all the Engliſh Gentlemen, but, above all, upon you, who, on the Part of the King, the Company, and the Engliſh Nation, are the Governor of this Country, and the Diſtributor of Juſtice to all who demand it, to conſider with Compaſſion our Situation. If you will not attend to us, who will? Who, beſides yourſelf, can afford us Relief? Conſider, that this large Family of helpleſs Women are poſſeſſed of Honour, and the Relations of the deceaſed Nabob. They are not Servants whom I can diſmiſs. If, which God forbid, I ſhould not be enabled to ſupport the Family, and they ſhould be obliged to ſeparate, conſider the Diſgrace and Obloquy which will be proclaimed by ſuch an Event through all the Cities of Hindoſtan. As on the Part of the King of England and the Company, you are the Poſſeſſor and the Ruler of this Country, we call on you with uplifted Hands for Juſtice, and humbly hope that, in due Conſideration of our manifold Claims, and in Attention to the Honour and Happineſs of our Houſe, which is One of the moſt diſtinguiſhed in Hindoſtan, you will be graciouſly pleaſed to reſtore to me the yearly Allowance of One Lack forty thouſand Rupees as it was before ſettled on me, that ſo I may free myſelf from the Importunities of my Creditors, and, proportioning my Mode of Life to my Circumſtances, may paſs the Remainder of it in Prayers for the Welfare of the Company, &c."

The Counſel for the Defendant deſired the Witneſs, Mr. Hudſon, who produced the above Book, might be aſked,

Q. Whether the Eaſt India Company did any Thing in Conſequence of the before-mentioned Recommendation of the Munny Begum by Mr. Haſtings to their Notice when they ſent their Diſpatches to Bengal?

A. There were Letters in conſequence, in which theſe Letters were referred to.

Q. Was that ſo?

A. Yes.

The Managers for the Commons ſtated, they would next prove the Allowance made to the Munny Begum, and the Baboo Begum.

Read, the following Extract, from the Appendix to a Conſultation of the 11th June 1787, beginning at Page 134 of an unbound Book, without a Title.

" Fort William, 11th June 1787.

At a Council; Preſent,
The Right Honourable Charles Earl Cornwallis, K. B. Governor General, Preſident; and
The Honourable Charles Stuart.
Sir John Macpherſon Baronet, abſent from the Preſidency;
John Shore Eſquire, indiſpoſed.

" Appendix to Conſultation 11th June 1787. Nizamut Eſtabliſhment.

Penſions.

	Monthly.	Annually.
Munny Begum — — — —	10,000	
Baboo D° — — — —	8,000 (*a*).	

" Signed at the End of the Conſultation,

Cornwallis.
Chas Stuart."

To prove the Occupation of the Munny Begum, and what other Reſources ſhe had,

Read, from a Book intituled, " Bengal Board of Revenue," the following Extract of a Letter from Mr. Pott to Mr. Shore, dated 7th September 1787.

" Fort William, the 7th September 1787.

" At a Meeting of the Board of Revenue; Preſent,
Thomas Graham Eſquire, acting Preſident.
Meſſieurs { John Mackenzie, / Richard Johnſon, } Members.
The Preſident, and Meſſrs. Cowper and Evelyn, abſent.
Mr. James Grant, Chief Sheriſtadar, &c. abſent.
The Roy Royan, abſent.

" Diſappointed in his Expectations, he has, by every poſſible Means, thrown every Impediment, Trouble, and Vexation, in the Way of my executing my Duty. Of the Two Years and Eight Months I have held the Office, he has not, altogether, reſided on the Spot Four, nor ever been of the ſmalleſt Uſe to me; but has conſtantly abſented himſelf, either to Calcutta, or ſome Foreign Settlement, where, leagued with a Man named Gopee Sircar, formerly employed by Mr. Martin in the Cuſtom Department, but turned out with Ignominy for the moſt fraudulent Conduct; a Banyan of Sir John Doyley's; one Fauldar, convicted of Frauds in the Nezamut to the Amount of near Three Lacks of Rupees, and diſmiſſed; one Roy Manick Chund, a Moonſhy of the Munny Begum's; and one Boze Rauje, a diſgraced and degraded Vakeel of the Cuyer Rice Merchants, lately diſmiſſed their Service in conſequence of having uſed their Names in Petitions preſented to the Right Honourable the Governor General, and to your Board, complaining of the Panchuttra Dowgah, for which he never had their Authority, but which he perſevered in doing in Oppoſition to their repeated Orders.

" From theſe Men, Gentlemen, I have, for a conſiderable Time, near Two Years, experienced every Impediment that Art and Cunning could deviſe. Threats, Promiſes, Bribes, have all been employed; and at this Hour every Gunge has its Emiſſaries from this Bahab, to induce frivolous and unjuſt Complaints; and by Threats, ſuch as the Diſpleaſure of Mr. Addiſon, who is immediately to be appointed my Superceſſor; the being ſummoned down to the Preſidency; the being forced to take Oaths; the being ſtripped of their Employment; with every other Artifice to extort from them Letters of this Kind, are daily ſent by this Goſſee Sircar from Calcutta to all the principal Men of the Gunges, and my Darogah, a Man who for Seventeen Years has held the Office, a Man of unreproached Character, and perfectly acquainted with the Duties of the invidious and unpleaſant Office, fearful that at laſt this Babab will prevail againſt him ſpight of his irreproachable Conduct, to the Ruin of his Character, is deſirous of quitting an Office of conſtant unremitting Toil, Labour, and Altercation; the Reward for which, he fears, will be Diſgrace and Shame.

" I have long borne, Gentlemen, with this cruel Treatment, without preſuming to ſubmit it to you; and perhaps ſhould now remain ſilent, if a very conſiderable Part of the Honourable Company's Revenue was not endangered by it.

(*a*) Vide Appendix, N° CXXV.

" Roy Manick Chund, the Begum's Moonſhy, is lately arrived here, from a long Reſidence in Calcutta, in Quality of her Vackeel, and has had Influence with her to induce her to refuſe Payment of the Duty on Spirits, in which Article ſhe is the largeſt Dealer in this Diviſion, as indeed ſhe is in every Species of Trade. The Conſequence has been, I this Day received a verbal Meſſage from Muzuffer Jung, informing me " that he ſhould pay the Duty in the ſame Mode as the Munny Begum," having previouſly ordered my Peons away from his Gunges. The Dewan Soonder Sing has, on the Part of His Highneſs the Nawab, alſo refuſed, though hitherto regularly paid; and Repreſentations from Goordaſs's Family, Meer Sidoo, and the principal People of the City, who engroſs the Whole of the Trade, pointing out how unjuſt it is that they ſhould pay what the Begum, &c. refuſe. Roy Manick Chund's Malevolence towards my Darogah, is evident in the Letter he has made the Munny Begum write; and his Object is, adding by any Means to the Clamour he, Mr. Addiſon, Goſſee Sircar, and the Booſe Rajah, had endeavoured to excite againſt my Darogah." (*a*)

Read, further Extract from the ſame Letter.

" I beg leave to remark, Gentlemen, that though the Bhegum is pleaſed, in the foregoing, to ſtyle her Mahals Lackeruge, and ſo very repeatedly to remark that they are, and ever have been, exempt from all Duties, Taxes, &c.—yet the Fact is diametrically oppoſite. They have ever paid every Duty, &c. other Gunges pay, and till now ſhe has even paid the one in Queſtion on Arrack; ſhe has the Five largeſt Gunges in the Diviſion, and of every Sort of Trade and Traffick carried on in the City, ſhe and her Dependants engroſs by much the moſt conſiderable Proportion. Were her Gunges, Hummars, Bazars, and Mahals exempt from Duties, I fancy few Ryats and Beoparries would frequent any other." (*b*)

(Signed) R. Pott,
C. G. C.

And at the End of the Conſultation,

Tho[s] Graham,
John Mackenzie,
R[d] Johnſon."

To ſhew in what Manner Mr. Haſtings was ſtimulated by the other Members of the Board to make a Defence to this Charge of Bribery,

Read, from Book 7, already delivered in, the following Extract of a Conſultation of the 22d of April 1775, beginning at Page 1892 of the ſame Book.

" Fort William, the 22d of April 1775.

Sec. Dept. Saturday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell,
Philip Francis, } Eſquires.

" Fort William, the 21ſt March 1775.

Mr. Francis ſingly.

" Mr. Francis.—The Governor General, in his Minute of the 13th inſtant, has been pleaſed to paſs a very ſevere Judgement upon my Conduct, in laying before the Board a Letter delivered to me by Maha Raja Nundcomar, and addreſſed to the Governor and Council. He affirms that it is not a Duty belonging to my Office to convey a Letter, of which the Contents were unknown to me, and that if they were falſe, I ran the Hazard of preſenting a Libel to the Board. In pronouncing this Sentence againſt me, our common Judges may perhaps be of Opinion that the Governor General himſelf has tranſgreſſed the Line of his Duty, and aſſumed an Authority which does not belong to his Perſon, or to his Station: He is undoubtedly my Superior, as he often tells us; but he is certainly not my Judge. Yet, conſcious of the Rectitude of my Intentions, however I may have been miſtaken in Point of Judgment, there is no Tribunal at which my Character and Conduct can be fairly tried, to which I am not at all Times ready to ſubmit.

" With reſpect to Raja Nundcomar's Letter, I muſt remind the Board that it was introduced with a previous Minute, in which I mentioned by what Means it came into my Hands, and the Perſon from whom I received it. The Governor General, who had long expected the Appearance of ſuch a Letter, and was apprized of the Contents of it, made no Objection however to its being

(*a*) Vide Appendix, N° CXXVI.

(*b*) Vide Appendix, ibid.

received

received and read at the Board. When the Man who advances a ſpecific Charge, declares himſelf ready to come forward and ſupport it, and to hazard the Conſequences of failing in his Proofs, it may ſtill indeed be preſumed that the Charge is falſe; but it does not partake of the Nature of a Libel. A Libeller advances Charges which he does not intend, or is unable to make good; when called upon to appear and produce his Evidence, he ſhelters himſelf ſometimes in the Obſcurity, ſometimes in the Superiority of his Situation, and leaves the Accuſation without an Accuſer, to operate as far as it can in the Opinions of Men, againſt the Honour and Reputation of the Party accuſed. Raja Nundcomar is not an obſcure Perſon in this Country, nor does he in this Inſtance act the Part of a Libeller. He is himſelf of very high Rank. He publickly accuſes the Governor General of Miſconduct in his Office, and deſires to be heard in Perſon in Support of his Charge. Let it be ſuppoſed that I was particularly acquainted with the Contents of the Letter. My Superiors will determine whether, conſiſtently with my Duty, or even with the perſonal Reſpect I owe the Governor General, I could have refuſed to bring ſuch an Accuſation to an immediate Examination. If hereafter a ſimilar Charge ſhould be produced againſt myſelf, and previouſly communicated to any Member of this Council, I ſhall hope and expect it, from his Candour and Juſtice, that he will not only bring the Accuſation but the Accuſer immediately before the Board. Nothing but the Conſciouſneſs of Guilt can ever make me ſhrink from a publick Examination of my Conduct. The true Dignity of my Character and Office will, as I conceive, be moſt effectually ſupported by meeting my Accuſer in Front, and proving my Innocence. A direct and publick Charge is brought againſt the Governor General; he deems it unworthy of his Dignity to vindicate his Reputation. I am not his Accuſer, nor do I deſire to be his Judge (*a*)."

(Signed) " P. Francis.

(Signed at the End of the Conſultation)

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Rich^d. Barwell,
P. Francis."

Read, from Book 179, already delivered in, the following Extract of a Minute of General Clavering, Colonel Monſon, and Mr. Francis, of the 15th of Sept. 1775.

" Fort William, 15th Sept. 1775.

" Minute from General Clavering, Colonel Monſon, and Mr. Francis.

" Par. 2. The Governor General accuſes us of attacking him with Declamation and Invective; yet from the firſt Outſet of the Differences between us, he has not ceaſed to attribute every one of thoſe Meaſures which we thought it our public Duty to purſue, and which we do not doubt will ſtand the Teſt of a Parliamentary Enquiry, to a premeditated Deſign to drive him from the Government. A Man who, on all Occaſions, permits himſelf to aſcribe our Conduct to ſo baſe a Motive as the ſole immediate Purpoſe of working his Overthrow, would have no Title to complain of any Terms in which we might think fit to retort ſuch injurious Treatment. But although we have his own Example to plead, we do not admit that we have followed it.

" The Proofs produced againſt him, both poſitive and preſumptive, are too ſtrong to require the Aſſiſtance of Declamation; and whatever Emotions the Whole, or any Part of his Conduct, might excite in us, they are certainly unmixed with any perſonal Reſentment, which alone would give Birth to Invectives.

" 3. Mr. Haſtings ſays, it is an Inſult on his Situation to ſuppoſe that it requires Courage in any Man to declare openly againſt his Adminiſtration. After the Proſecution ſo obſtinately continued againſt Mr. Fowke, until a Verdict could be obtained againſt him, notwithſtanding he had been honourably acquitted at his Firſt Trial for the ſame Charge, and after the Death of Nundcomar, the Governor, we believe, is well aſſured, that no Man who regards his own Safety will venture to ſtand forth as his Accuſer.

" 12. In ſtating the Evidence brought before the Board of his receiving near a Moiety of the late Fouzdar of Hougly's Salary, he takes no Notice of the Two Letters from the Fouzdar himſelf, by which the Charge is ſupported. Without theſe Letters, the Authenticity of which was not diſputed by the Fouzdar, we ſhould have given but little Credit to the Evidence of the Perſon who produced them.—Mr. Haſtings does not deny the Fact, nor has he in this, or in the Caſe of the ſpecific Charge brought againſt him by Nundcomar, ever ventured to plead Not Guilty. Provided

(*a*) Vide ſupra Appendix, N° CVI. Page 455.

he

he can ſecure himſelf from Conviction in a Court of Law, he ſeems to care very little what the Court of Directors or the World may think of him.

" 13. He ſeems very ready, however, to appeal to the Knowledge or Opinion of Gentlemen who have gone from this Country, or who have Connections here, for Teſtimonials in his Favour.—We will not ſubmit our Cauſe to ſuch a Tribunal at a Criſis like that which is probably approaching. He has Reaſon enough to expect that a conſiderable Part of what is commonly termed the India Intereſt, will be united to ſupport him.—Whether we ſhall be ſupported or not in the Execution of the heavy Taſk aſſigned us, is, with Reſpect to ourſelves, a Queſtion of perfect Indifference. Let the Deciſion at Home be what it may, it cannot but be attended with ſome perſonal Advantage to us; if we are continued in the Adminiſtration of this Government, our Principles and Conduct muſt be honoured with the Approbation of our Superiors:—If not, we ſhall feel no Reluctance in quitting a Country in which the ſtricteſt Execution of the moſt painful and laborious Duties ſerves only to harraſs and diſtreſs us, without offering us the Proſpect of any proportionate Acknowlegement of our Services.

" 14. In Anſwer to every Thing the Governor General has ſaid upon the Subject of the Diſmiſſion of Mony Begum, we content ourſelves with obſerving, that it was not an Operation of ſuch mighty and pompous Importance as he makes it: She is not the Nabob's Mother: She is not by Birth a Woman of any Rank, but originally, as we are informed, a Slave and a Dancing Girl. We conſider her merely as an Inſtrument in the Governor's Hand to diſpoſe of the Nabob's Revenue as he might think proper. His committing the Guardianſhip of the Nabob to a weak Woman, as he calls her in another Place, is not to be accounted for on any other Principle.—In this Country, ſtill more than in any other, a Woman is particularly diſqualified for ſuch an Office. We affirm alſo, that her Appointment was in direct Oppoſition to the Orders of the Court of Directors, contained in their Letter of the 5th of Auguſt 1771. They order the Governor and Council to ſubſtitute ſome Perſon in the Place of Mahomed Reza Cawn, who might be well qualified for the Affairs of Government, and to recommend him to the Nabob to be Miniſter of the Government, and Guardian of the Nabob's Minority. Inſtead of obeying theſe judicious Orders, Mr. Haſtings and his Council divided the Office, and the Salary annexed to it, among Three Perſons; the Firſt, a weak Woman, incapable, in this Country, of any active Employment; we believe there never was an Inſtance in India of ſuch a Truſt ſo diſpoſed of. The Second, Rajah Goordaſs, whom Mr. Haſtings now calls a young Man of mean Abilities, a Gentoo, and the Son of Rajah Nundcomar. The Third, Rajah Bullub, whoſe Youth and Inexperience evidently made it impoſſible that he ſhould be fit for ſuch an Office as that of Roy Royan; in the Hands of the Governor General he may be a convenient Inſtrument. By this State of the whole Tranſaction it appears, that the Firſt Meaſure of Mr. Haſtings's Government was a direct Diſobedience of the Company's Orders.

" 15. Our Appointment of Rajah Goordaſs was temporary; we had no Choice but between him and the Nabob's Mother. As for Mony Begum, the preſent Diſtreſſes of the Nabob and his Family, the Clamours of his Creditors, and the mean and diſhonourable State in which he was kept, ſufficiently ſhow what Care ſhe took of his Revenues, and in what Manner they were diſpoſed of. Her Care of his Education ſtands much upon the ſame Footing; while ſhe was deſtroying his Fortune, it is not likely that ſhe ſhould attend to the Cultivation of his Mind; nor do we conceive it poſſible that ſhe could be qualified for ſuch a Truſt. The Accounts brought down by Mr. James Grant are under Examination. The Over-payment of near 14 Lacks, on Account of the Nabob's Penſion in the Year 1772, is admitted by Mr. Haſtings as a material Error. The Nabob's preſent Debts, contracted during the Guardianſhip of the Begum, are ſuppoſed to amount to Nine Lacks. If any Regard had been paid to the Company's Orders of Auguſt 1771, which direct that the Miniſter at the Durbar ſhould deliver annually to the Board a regular and exact Account of the Application of the ſeveral Sums paid by the Company to the Nabob, ſuch Waſte and Embezzlement could not have happened; but on the other Hand, ſome Gentlemen who appear to have profited by the Begum's Bounty, would have been precluded from One of the principal Sources of their Emoluments.

" 20. We now proceed to the Governor's Minute of the 30th July. He aſſerts, that the Begum was compelled to deliver a Paper to Mr. Goring, containing an Account of Two Sums, of a Lack and a Half each, given to Mr. Middleton and the Governor. We pay no Regard to that private Information from which the Governor collects his Accounts of Mr. Goring's ſuppoſed ill Treatment of the Begum. We do not believe that any Compulſion was uſed with her to induce her to make this Diſcovery. If there was, let him prove it. The Court of Directors will ſee that on her mentioning an Intention to come to Calcutta, ſhe had immediate Permiſſion given her to remove to this Town, or to any other Part of the Provinces. We confeſs it appears very extraordinary that Mr. Haſtings ſhould employ ſo much Time and Labour to ſhew that the Diſcoveries againſt him have been obtained by improper Means, but that he ſhould take no Step whatſoever to invalidate the Truth of them; he does not deny the Receipt of the Money. The Begum's Anſwers to the Queſtions put to her at his own Deſire, make it impoſſible that he ſhould deny it. It ſeems he has formed ſome Plan of Defence againſt this and ſimilar Charges, which he thinks will avail him in a Court of Juſtice, and which

it would be imprudent in him to anticipate at this Time. If he has not received the Money, we ſee no Reaſon for ſuch a guarded and cautious Method of Proceeding. An innocent Man would take a ſhorter and eaſier Courſe. He would voluntarily exculpate himſelf by his Oath.

" 21ſt. The Governor quotes Part of a Letter from Nunid Roy. If he had given the Whole of it, the Court of Directors would ſee that it contains an Account of 7 Lacks of Rupees diſtributed among Gentlemen in the Company's Service out of the Nabob's Treaſury.

" 29. The Governor's pathetic Repreſentation of the Tyranny exerciſed by Mr. Goring over the Begum, the Nabob, and their Servants, has not a ſingle Fact or Proof to ſupport it. Suppoſing the Neceſſity of diſmiſſing the Begum, of which we are every Day more and more convinced, we know not how ſuch a Meaſure could be conducted with greater Mildneſs and Moderation. The Remainder of the Governor's Minute is in the ſame Style of Declamation. We have made no Authoritative Demands on the Supreme Court of Judicature, nor propoſed any enſnaring Queſtions to them; neither have we reduced the Nabob and his Houſehold to a State of Servitude. On the contrary, we have relieved him from the vileſt Dependence upon the Caprices of a Woman who waſted his Fortune, neglected his Education, and denied him not only every Indulgence, but even the common Neceſſaries to ſupport an Appearance equal to his Rank (*a*).

(Signed at the End)

" J. Clavering,
Geo. Monſon,
P. Francis."

Read, from the ſame Book, the following Extract of Mr. Haſtings's Anſwer to the above Obſervations.

[Obſervations on the Minute of General Clavering, Colonel Monſon, and Mr. Francis, dated 15th Sept. 1775.

I ſhall reply to each Paragraph of this Minute ſeparately.

2. Requires no Reply.

3. This merits none.]

§ {" 4. I have declared on Oath before the Supreme Court of Juſtice, that I neither adviſed nor " encouraged the Proſecution of Maha Rajah Nundcomar. It would have ill become the Firſt Ma- " giſtrate in the Settlement to have employed his Influence either to promote or diſſuade it.")

[12, 13, 14, 15. Theſe require no Reply.

20, 21. Theſe require no Reply.

29. This requires no Reply.]

The Managers for the Commons ſtated, they would next call Mr. Goring, to prove that the Confeſſions of the Munny Begum, ſaid to be extorted from her by him, were not extorted.

Mr. GORING was accordingly called in.

The Managers for the Commons being aſked what Queſtion they propoſed, ſaid, they would firſt aſk,

Q. Whether the Witneſs was not ſent by Publick Commiſſion to Murshedabad?

The Counſel for the Defendant obſerved, that if there was any ſuch Commiſſion, it ought to be produced.

The Managers for the Commons being aſked what other Queſtion they propoſed, ſaid, the Drift of the Queſtions they propoſed to aſk the Witneſs, was to ſhew that there had been no improper Treatment uſed by him towards the Begum, to induce her to write any of the Papers in Evidence before the Houſe.

The Houſe informed the Managers for the Commons, that in the common and ordinary Courſe of Evidence, a Witneſs was always underſtood to have conducted himſelf fairly till ſome Imputation was thrown upon him; if any ſuch Imputation ſhould be made, then would be the Time to repel it.

The Managers for the Commons ſtated, that there was in Evidence a Letter from Mr. Haſtings, in which he ſtated that the Munny Begum had received Treatment which would diſgrace a Ruffian, and that Imputation they could prove to be falſe and groundleſs.

(*a*) Vide Appendix, N° CXXVII.

The Counſel for the Defendant objected that the Letter alluded to, ſuch as it was, had been given in Evidence by the Managers for the Commons themſelves.

The Houſe informed the Managers for the Commons, that the Queſtion propoſed by them to be put to the Witneſs, as taken down, was as follows:

Whether the Witneſs uſed any coercive Behaviour to the Munny Begum, to draw from her any of the Letters read in Evidence?

Then the Houſe adjourned to the Chamber of Parliament.

Die Mercurii, 8° Julii 1789.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

"Gentlemen, Managers for the Houſe of Commons, and you, Gentlemen, who are of Counſel for the Defendant, the Lords have reſolved, That the Queſtion propoſed to be aſked the Witneſs by the Managers for the Commons, ought not to be put.—Gentlemen, Managers for the Commons, you may proceed to make good your Charge."

The Managers for the Commons acquainted the Houſe, that they had finiſhed their Evidence upon this Part of the Sixth Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Martis, 16° *Februarii* 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons, they might proceed to make good their Charge.

Mr. Anſtruther was heard to open the remaining Part of the Sixth Article of Charge, and alſo Part of the Seventh Article.

Then the Houſe adjourned to the Chamber of Parliament.

Die Jovis, 18° *Februarii* 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons ſtated, that the Firſt Piece of Evidence which they ſhould proceed to lay before the Houſe, was a Letter from Mr. Haſtings to the Court of Directors, dated the 29th of November 1780; which, though it purported to be a Letter of Diſcovery of a Receipt of Preſents, was of a direct contrary Tendency.

Then Mr. ROBERT HUDSON was called in, and produced Book 29, before delivered in.

Read, the following Extract, being a Letter from Mr. Haſtings to the Honourable Court of Directors of the Honourable United Eaſt India Company, dated Fort William, 29th November 1780.

" Fort William, 29th November 1780.

" To the Honourable the Court of Directors of the Honourable the United Eaſt India Company.

" Honourable Sirs,

" You will be informed by our Conſultations of the 26th of June, of a very unuſual Tender which was made by me to the Board on that Day, for the Purpoſe of indemnifying the Company for the extraordinary Expence which might be incurred, by ſupplying the Detachment under the Command of Major Carnac, in the Invaſion of the Maratta Dominions, which lay beyond the Diſtrict of Gohid; and drawing the Attention of Mahdajee Sindia, to whom that Country immediately appertained, from General Goddard, while his was employed in the Reduction of Baſſeen, and in ſecuring the Conqueſts made by your Arms in Gujerat. I was deſirous to remove the only Objection which had been, or could oſtenſibly be made to the Meaſure which I had very much at Heart, as may be eaſily conceived from the Means which I took to effect it: For the Reaſons at large which induced me to propoſe that Diverſion, it will be ſufficient to refer to my Minute recommending it, and to the Letters received from General Goddard, near the ſame Pe-

riod of Time. The Subject is now become obſolete, and all the fair Hopes which I had built upon the Proſecution of the Maratta War, of its Termination in a ſpeedy, honourable, and advantageous Peace, have been blaſted by the dreadful Calamities which have befallen your Arms in the Dependencies of your Preſidency of Fort St. George, and changed the Object of our Purſuit from the Aggrandizement of your Power to its Preſervation.

" My preſent Reaſon for reverting to my own Conduct, on the Occaſion which I have mentioned, is to obviate the falſe Concluſions or propoſed Miſrepreſentations, which may be made of it, either as an Artifice of Oſtentation, or as the Effect of corrupt Influence, by aſſuring you that the Money, by whatever Means it came into your Poſſeſſion, was not my own, that I had myſelf no Right to it, nor would or could have received it, but for the Occaſion which prompted me to avail myſelf of the accidental Means, which were at that Inſtant afforded me, of accepting and converting it to the Property and Uſe of the Company, and with this brief Apology I ſhall diſmiſs the Subject.

" Something of Affinity to this Anecdote may appear in the firſt Aſpect of another Tranſaction, which I ſhall proceed to relate, and of which it is more immediately my Duty to inform you: You will have been adviſed by repeated Addreſſes of this Government, of the Arrival of an Army
* Deeſt in Orig. at Cultac, under the Command * Chimnajee Booſla, the Second Son of Moodajee Booſla, the Raja of Berar.

" The Origin and Deſtination of this Force have been largely explained and detailed in the Correſpondence of the Government of Berar, and in various Parts of our Conſultations. The minute Relation of theſe would exceed the Bounds of a Letter: I ſhall therefore confine myſelf to the principal Fact. About the Middle of the laſt Year, a Plan of Confederacy was formed by the Nabob Nizam Ally Cawn, by which it was propoſed, that while the Army of the Marattas, under the Command of Mahdajee Sindia, and Tuckoojee Hoolkar, was employed to check the Operations of General Goddard in the Weſt of India; Hyder Ally Cawn ſhould invade the Carnatic, Moodajee Booſla the Provinces of Bengal, and he himſelf the Sircars of Rajamundry and Chicacole.

" The Government of Berar was required to accept the Part aſſigned it in this Combination, and to march a large Body of Troops immediately into Bengal. To enforce the Requeſt on the Part of the ruling Member of the Maratta State, Menaces of inſtant Hoſtility by the combined Forces were added by Mahdajee Sindia, Tuckoojee Hoolkar, and Nizam Ally Cawn, in Letters written by them to Moodajee Booſla on the Occaſion. He was not in a State to ſuſtain the Brunt of ſo formidable a League, and oſtenſibly yielded; ſuch at leaſt was the Turn which he gave to his acquieſcence, in his Letters to me; and his ſubſequent Conduct has juſtified his Profeſſions. I was early and progreſſively acquainted by him with the Requiſition, and with the Meaſures which were intended to be taken, and which were taken by him upon it. The Army profeſſedly deſtined for Bengal marched on the Duſſerra of the laſt Year, correſponding with the 7th of October. Inſtead of taking the direct Courſe to Bahar, which had been preſcribed, it proceeded, by various Deviations and ſtudied Delays, to Cultac, where it arrived late in May laſt, having performed a practicable journey of Three Months in Seven, and concluded it at the inſtant Commencement of the Rains, which of courſe would preclude its Operations, and afford the Government of Berar a further Interval of Five Months to provide for the Part which it would then be compelled to chuſe. In the mean Time Letters were continually written by the Rajah and his Miniſter to this Government, explanatory of their Situation and Motives, propoſing their Mediation and Guarantee for a Peace and Alliance with the Peſhwa, and profeſſing, without Solicitation on our Part, the moſt friendly Diſpoſition towards us, and the moſt determined Reſolution to maintain it.

Conformably to theſe Aſſurances, and the Acceptance of a Propoſal made by Moodagee Booſla, to depute his Miniſter to Bengal, for the Purpoſe of negociating and concluding the propoſed Treaty of Peace; Application had been made to the Peſhwa for Credentials to the ſame Effect.
20th Sept. 1780. In the mean Time the fatal News arrived of the Defeat of your Army at Conjeveram.—It now became neceſſary that every other Object ſhould give Place, or be made ſubſervient to the Preſervation of the Carnatic; nor would the Meaſures requiſite for that End admit an Inſtant of Delay.—Peace with the Marattas was the firſt Object.—To conciliate their Alliance, and that of every other Power in natural Enmity with Hyder Ally, the next inſtant Meaſures were taken (as our general Advices will inform you) to ſecure both theſe Points, and to employ the Government of Berar as the Channel and Inſtrument of accompliſhing them. It's Army ſtill lay on our Borders, and in Diſtreſs for a long Arrears of Pay, not leſs occaſioned by the Want of pecuniary Funds than a Stoppage of Communication. An Application had been made to us for a Supply of Money, and the Sum ſpecified for the complete Relief of the Army was Sixteen Lacks.—We had neither Money to ſpare, nor in the apparent State of that Government in it's Relation to our's would it have been either prudent or conſiſtent with our public Credit to have afforded it.—It was nevertheleſs my decided Opinion, that ſome Aid ſhould be given, not leſs as a neceſſary Relief than as an Indication of Confidence, and a Return for the many Inſtances of ſubſtantial Kindneſs, which we had within the Courſe of the laſt Two Years experienced from the Government of Berar.—I had an Aſſurance that ſuch a Propoſal would receive the Acquieſcence of the Board; but I knew that it would not paſs without Oppoſition, and it would have become public, which might have

defeated its Purpoſe.—Convinced of the Neceſſity of the Expedient, and aſſured of the Sincerity of the Government of Berar from Evidences of ſtronger Proof to me than I could make them appear to the other Members of the Board—I reſolved to adopt it, and take the entire Reſponſibility of it upon myſelf.—In this mode a leſs conſiderable Sum would ſuffice. I accordingly cauſed Three Lacks of Rupees to be delivered to the Miniſter of the Rajah of Berar, reſident in Calcutta.—He has tranſmitted it to Cultac.—Two Thirds of this Sum I have raiſed by own Credit, and ſhall charge it in my official Accounts. The other Third I have ſupplied from the Caſh in my Hands belonging to the Honourable Company. I have given due Notice to Moodajee Booſla of this Tranſaction, and explained it to have been a private Act of my own, unknown to the other Members of the Council. I have given him Expectations of the Remainder of the Amount required for the Arrears of his Army, proportioned to the Extent to which he may put it in my Power to propoſe it as a public Gratuity, by his effectual Orders for the Recall of theſe Troops, or for their Junction with ours.

" I hope I ſhall receive your Approbation of what I have done for your Service, and your Indulgence for the Length of this Narrative, which I could not compriſe within a narrower Compaſs.

I have the Honor to be,
Honourable Sirs,
Your moſt faithful, obedient, and humble Servant,
Warren Haſtings."

The Managers for the Commons ſtated, they ſhould next proceed to ſhew that the Letter laſt produced was written at the Time Mr. Francis was leaving Bengal.

The Witneſs produced Book 79, intituled, " Bengal Council."

Read, the following Extract of a Conſultation of the 2d November 1780, beginning at Page 651 of the ſame Book.

" Fort William, 2d November 1780.

" At a Council; Preſent, Pub. Dept. Thurſday.
The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires."
Lieutenant General Sir Eyre Coote K. B. abſent on Service.

" Mr. Francis.—As I propoſe to return to England in the courſe of the preſent Seaſon, it will be a Convenience to me, in the Settlement of my Affairs here, if the Board will be pleaſed to give Orders that my Salary for the Months of October, November, and December, may be now iſſued to me; I therefore requeſt an Order may be ſent to the Treaſury for this Purpoſe.

Signed, " P. Francis."

(No Signature at the End.)

The Managers for the Commons ſtated, they ſhould next proceed to falſify the beforementioned Letter of the 29th of November 1780, in all its Parts; for which Purpoſe they would firſt produce a Secret Conſultation of the 9th of January, 1781, from whence it would appear, that that Part of the Letter in which it was ſtated by Mr. Haſtings, " that Two Thirds of the Sum therein mentioned was raiſed on his own Credit, and " that he ſhould charge it in his Official Accounts;" and that " the other Third he " had ſupplied from Caſh in his Hands belonging to the Company," was not true.

Read, from Book 54, already delivered in, the following Extract of a Secret Conſultation of the 9th of January 1781, beginning at Page 24 of the ſame Book.

" Fort William, 9th January 1781.

" At a Council; Preſent, Secret Dept. Tueſday.
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler Eſquire,
Lieutenant General Sir Eyre Coote, abſent on Command at the Preſidency of Fort St. George.

" The following Letter from the Governor General having been circulated, and the Requeſt therein made complied with, an Order on the Treaſury paſſed accordingly.

" Honourable Sir, and Sirs, Gov. Gen.

" Having had Occaſion to diſburſe the Sum of Three Lacks of Sicca Rupees, on Account of Secret Services, which having been advanced from my own own * private Caſh; I requeſt that the ſame may be repaid to me in the following Manner: * Sic in Orig.

" A Bond

" A Bond to be granted me upon the Terms of the Second Loan, bearing Date from the 1ſt October, for One Lack of Sicca Rupees.

" A Bond to be granted me upon the Terms of the Firſt Loan, bearing Date from the 1ſt October, for One Lack of Sicca Rupees.

" A Bond to be granted me upon the Terms of the Firſt Loan, bearing Date from the 2d October, for One Lack of Sicca Rupees.

" I have the Honour to be,
&c. &c.
" Warren Haſtings.

" Fort William,
5th January 1781.

" No Signature at the End of the Conſultation."

The Managers for the Commons ſtated, they ſhould next proceed to ſhew that Mr. Haſtings took that to himſelf, which in his Letter of the 29th of November before produced, he ſtated to belong to the Company.

The Witneſs produced a Paper indorſed as follows:

" Duplicate.
" Calcutta, 5th Auguſt 1786.

" Letter from William Larkins Eſquire, Accountant General at Bengal, to the Chairman of the Eaſt India Company.

" Read in Court, 9th March 1787."

Read, the following Extract from the ſame.

" Duplicate.

" To William Devaynes Eſquire, Chairman, or to the Chairman for the Time being, of the Honourable the Court of Directors of the United Company of Merchants of England trading to the Eaſt Indies."

" Although the Two firſt ſtated Sums are, in the Paper marked N° 1, aſſerted to have been paid to Mr. Croftes on 18th and 19th Aſſin 1187, which correſponds with the 1ſt and 2d November 1780, yet the Copy of the Bengal Running Treaſury Account, which is now in England, will not be found to contain any ſuch Sums as received from Mr. Haſtings under theſe Dates, becauſe theſe, together with another Sum of Sicca Rupees One Lac, which were taken from his own Caſh at that Time, made up the firſt Supply that was ſent to the Marrattah Army under Chimnajee Booſla, which the Sub-Treaſurer could not bring to Account, until he was authoriſed by an expreſs Order of Council upon the Treaſury for that Purpoſe, which was not granted until 5th January 1781, after which, viz. on 15th of that Month, the Head of Secret Service was debited for the Amount of that Supply, and the Head of Money borrowed at Intereſt 1780, credited for theſe Sums, for which the Bonds N° 1539, dated 1ſt October 1780, and N° 1540, dated 2d October 1780, each for the Sum of Current Rupees 1,16,000, or Siccas One Lac, were granted; the Remainder of that Amount was carried to the Credit of the Head of Four per Cent. Remittance Loan; Mr. Haſtings having taken a Bond, N° 89, which has been ſince completely liquidated conformable to the Terms of that Loan.

" (Signed at the End) Wm Larkins." (a)

" Calcutta, 5th Aug. 1786.

The Managers for the Commons informed the Houſe, they would next proceed to ſhew that One Third of the Sum, originally ſtated by Mr. Haſtings to belong to the Company, was actually paid to Mr. Haſtings's Attorney:—That the Bonds were turned into Bills; and that they ſhould now therefore produce the Bills themſelves; for which Purpoſe they deſired Mr. Parker might be called in.

Mr. PARKER was accordingly called in, and being ſworn, was examined as follows:

Q. What Office are you in?
A. A Clerk in the Treaſury Office of the Eaſt India Company.

Q. What have you in your Hand?
A. Five India Bills, drawn at Fort William in Bengal, and paid in England.

The Witneſs delivered in the Bills, the ſame were read, and are as follow:

132.

" To the Committee of the Treaſury.

You may pleaſe to pay to Meſſrs. John Woodman, William Waller, and Francis Sykes, or Order, Two thouſand five hundred and ninety-eight Pounds, Eight Shillings, in full for a

(a) Vide ſupra Appendix, N° XLIX.

Firſt

First Bill of Exchange, drawn from Fort William, 1ſt December 1783; Value Rupees 25,984, at 2 s. per Rupee; accepted here per Order of Court, and take a Diſcharge.—£. 2,598 : 8 s.

J. B.

" London, the 12th December 1785.
82 N° 5.

Thomas Woodruff.

" T. G. L. Due 10th December. 444."

" 10 Dec. (33

" Firſt, N° 132.

" Fort William, the Firſt Day of December 1783. For Pounds Sterling 2,598 : 8 s. or Current Rupees 25,984, at 2 s. and 365 Days Sight.

" At Three hundred and ſixty-five Days Sight of this our Firſt of Exchange (Second and Third of ſame Tenor and Date not being paid), pay, or cauſe to be paid, unto John Woodman, William Waller, and Francis Sykes, or Order, the Sum of Pounds Sterling Two thouſand five hundred and ninety-eight and Eight Shillings, the ſame being for Current Rupees Twenty-five thouſand nine hundred and eighty-four, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for One-fifth Part of the Principal of a Bond, N° 89, for Current Rupees One hundred and ſixteen thouſand, granted to the Honourable Warren Haſtings Eſquire, on Account of the Remittance Loan at Four per Cent. per Annum, and for the Intereſt ariſing on Three-fifths of the ſaid Principal, from the Firſt of December 1782, to the preſent Date, as per Advice from,

" To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the Eaſt Indies,

London.

" Examined,
Ja^{s} Miller,
Sub Accompt.

" Honourable,
Your faithful humble Servants,
Warren Haſtings,
Edwd Wheler,
John Macpherſon,
John Stables.

" Accepted, by Order of the ſaid Court, from the 7th December 1784.

Thos Morton,
Sec^{ry}.

10 Decr. Indorſed on the Back as follows:

" Fra^{s} Sykes,
Wm Waller,
John Woodman.

" Rec^{d} for Meſſ^{rs} Crofts, Devaynes, & Co.

R. Barwick."

	B.
	1,000 : 0
	1,000 : 0
	300 : 0
	100 : 0
	100 : 0
	50 : 0
	40 : 0
	8 : 8
	2,598 : 8

" To the Committee of the Treaſury.

" You may pleaſe to pay to John Woodman, William Waller, and Francis Sykes, or Order, Two thouſand eight hundred and ſixty-one Pounds Six Shillings and Eight-pence, in full for a Firſt Bill of Exchange, drawn from Fort William, the 1ſt December 1781, Value Rupees 28,613 : 5 : 4, at 2 s.; accepted here per Order of Court, and take a Diſcharge. £. 2,861 : 6 : 8

Ex^{d}. J. H.

" London, the 9th Auguſt, 1783.
C. Auburry.

92. W. H. due to Aub. 507. Goſling and Co.

" Firſt. N° 201.

" Fort William, the Firſt Day of December 1781, for Pounds Sterling 2,861 : 6 : 8 —or Current Rupees 28,613 5 4, at 2 Shillings, and 365 Days Sight.

" At Three hundred and ſixty-five Days Sight of this our Firſt of Exchange, (Second and Third of ſame Tenor and Date not being paid), pay or cauſe to be paid unto John Woodman, William Waller, and Francis Sykes, or Order, the Sum of Pounds Sterling Two thouſand eight hundred

hundred and ſixty-one, Six Shillings and Eight-pence, the ſame being for Current Rupees Twenty-eight thouſand ſix hundred and thirteen, Five Annas, and Four Pice, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for the Intereſt and One Fifth Part of the Principal of a Bond N° 89, for Current Rupees One hundred and ſixteen thouſand, granted to the Honourable Warren Haſtings Eſq. on Account of the Remittance Loan, at 4 per Cent. per Annum, as per Advice of this Date from,

" Honourable,

" To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the Eaſt Indies, London.

Your faithful humble Servants,
Warren Haſtings,
Edwd Wheler,
John Macpherſon.

" Examined,
Ja^s Miller,
Sub Accompt."

" Accepted, by Order of the ſaid Court, from the 7th Auguſt 1782.
P. Michell,
Sec^y.

Indorſed on the Back as follows:

" Fra^s Sykes,
Wm Waller,
John Woodman.

" Received for
Meſſrs. Goſling,
Wm Ellis."

2861	:	6	: 8
6025	:	2	: 1
2200	:	0	: 0
1650	:	0	: 0
1927	:	6	: 9
14,663	:	15	: 6

10th Auguſt."

175.

" To the Committee of the Treaſury.

" You may pleaſe to pay to John Woodman, William Waller, and Francis Sykes, or Order, Two thouſand five hundred and five Pounds Twelve Shillings, in full for a Firſt Bill of Exchange drawn from Fort William, the 1ſt December 1784, Value Rupees 25,056, at 2 s. each; accepted here per Order of Court, and take a Diſcharge. — — } £. 2,505 : 12 s.

" London, the 26th July, 1786.

" J. Jordan."

141
J. J. Due 23d July, 1786. 349.

" Firſt. N° 175.

" Fort William, the 1ſt Day of December, 1784; for Pounds Sterling 2,505 : 12 s. or Current Rupees 25,056, at 2 s. and Three hundred and ſixty-five Days Sight.

" At Three hundred and ſixty-five Days Sight of this our Firſt of Exchange, (Second and Third of ſame Tenor and Date not being paid), pay, or cauſe to be paid, unto John Woodman, William Waller, and Francis Sykes, or Order, the Sum of Pounds Sterling Two thouſand five hundred and five and Twelve Shillings, the ſame being for Current Rupees Twenty-five thouſand and fifty-ſix, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for One Fifth Part of the Principal of a Bond, N° 89, for Current Rupees One hundred and ſixteen thouſand, granted to the Honourable Warren Haſtings Eſquire, on Account of the Remittance Loan, at Four per Cent. per Annum, and for the Intereſt ariſing on Two Fifths of the ſaid Principal from the 1ſt of December, 1783, to the preſent Date, as per Advice from,

" Honourable,

" To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the Eaſt Indies, London.

Your faithful humble Servants,
Warren Haſtings,
John Macpherſon,
John Stables.

" Examined,
Ja^s Miller,
Sub. Accomp^t."

" Accepted, by Order of the ſaid Court, from the 20th July, 1785.
Thos Morton,
Sec^y.

Indorſed

Indorſed on the Back as follows:

" Wm Waller,
Fras Sykes,
John Woodman.

			2,505	12 :	
			1,080	: :	
			3,585	12 :	Recd Meſſrs. Goſling, W. Ellis."
	2 — 1000	B	2,000	: :	
	2 — 500		1,000	: :	
331. 23d July, 86.			300	: :	
			200	: :	
			30	: :	
			40	: :	
			15	: :	
			:	12 :	
			3,585	12 :	

164.

" To the Committee of the Treaſury.

" You may pleaſe to pay to John Woodman, William Waller, and Francis Sykes, Eſquires, or Order, Two thouſand eight hundred and twenty-five Pounds Fifteen Shillings and Two-pence, in full for the Principal and Third or laſt Year's Intereſt of a 1ſt Bill of Exchange, drawn from Fort William, 1ſt December 1782, Value Rupees 26,912, at 2 s. each; accepted here per Order of Court, and take a Diſcharge.

" London, the 8th June 1787, J. Jordan.

Principal —	£. 2691 : 4 : 0	
One Year's Intereſt, at 5 per Cent.	134 : 11 : 2	
Exd W. B.		£. 2825 : 15 : 2

251 671.

" P. S. D. Due 6th June 1787."

" Firſt. N° 164.

" Fort William, the Firſt Day of December 1782, for Pounds Sterling 2,691 : 4 s. or Current Rupees 26,912, at 2s. and 365 Days Sight.

" At Three hundred and ſixty-five Days Sight of this our Firſt of Exchange, (Second and Third of ſame Tenor and Date not being paid), pay or cauſe to be paid unto John Woodman, William Waller, and Francis Sykes, Eſqrs. or Order, the Sum of Pounds Sterling Two thouſand ſix hundred and ninety-one and Four Shillings, the ſame being for Current Rupees Twenty-ſix thouſand nine hundred and twelve, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for One-fifth Part of the Principal of a Bond N° 89, for Current Rupees One hundred and ſixteen thouſand, granted to the Honourable Warren Haſtings Eſquire, on account of the Remittance Loan at 4 per Cent. per Annum, and for the Intereſt ariſing on Four-fifths of the ſaid Principal, from the Firſt of December 1781 to the preſent Date, as per Advice from,

" Honourable,
Your faithful humble Servants,
Warren Haſtings,
John Macpherſon,
John Stables.

" To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the Eaſt Indies, London.

" Examined,
Jas Miller,
Sub Accompt.

" Accepted, by Order of the ſaid Court, to be paid in Four Years, from the 3d Day of June 1783, with Intereſt for the laſt Three Years, at the Rate of 5 per Cent. per Annum, to be paid annually, if demanded.
Thos Morton, Secry

" Warrant made, 1 Year's Intereſt, 22d June 1785. £. 134 : 11 : 2
Warrant made, 2 Ditto, 9th June 1786. 134 : 11 : 2

Indorſed on the Back as follows:

" Wm Waller,
Fr. Sykes,
John Woodman.

N° 5, P. 251.

" Received

" Received 22d June 1785, at the Treaſury of the Eaſt India Company, the Sum of One hundred and thirty-four Pounds Eleven Shillings and Two-pence, the ſame being for One Year's Intereſt, due on the within mentioned Sum of Two thouſand ſix hundred and ninety-one Pounds and Four Shillings, the 5th inſtant, I ſay received the ſame for Sir Francis Sykes, Bart. William Waller Eſq. and Self.

£. 134 : 11 : 2 ℔ John Woodman."

" Received 9th June 1786, the Sum of One hundred and thirty-four Pounds Eleven Shillings and Two-pence, being the Second Year's Intereſt due on the within Bond the 5th inſtant, received the ſame for Sir Francis Sykes, Bart. William Waller Eſquire, and Self.

£. 134 : 11 : 2 ℔ John Woodman."

" Received the 8th June 1787, the Principal of the within Bill, and Intereſt thereon.

℔ John Woodman."

180.

" To the Committee of the Treaſury.

" You may pleaſe to pay to Warren Haſtings Eſquire, or Order, Two thouſand four hundred and twelve Pounds Sixteen Shillings, in full for a Firſt Bill of Exchange, drawn from Fort William the 1ſt December 1785, Value Rupees 24,128, at 2 s. each; accepted here per Order of Court, and take a Diſcharge. } £.2,412 : 16 : 0

" Ex^d W. B.

" London, the 28th May 1787.
Thomas Woodruff

153 482

" C. B. Due 28th May 1787."

" 28 May. 64.

" Firſt. N° 180.

" Fort William, the 1ſt of December 1785. For Pounds Sterling 2,412 l. 16 s. or Current Rupees 24,128, at 2 s. and 365 Days Sight.

" At Three hundred and ſixty-five Days Sight of this our Firſt of Exchange, (Second and Third of ſame Tenor and Date not being paid), pay, or cauſe to be paid, unto Warren Haſtings Eſquire, or Order, the Sum of Pounds Sterling Two thouſand four hundred and twelve, and Sixteen Shillings, the ſame being for Current Rupees Twenty-four thouſand one hundred and twenty-eight, (at the Exchange of Two Shillings Sterling per Current Rupee), in Satisfaction for the Intereſt, and in full Diſcharge of the Principal of a Bond N° 89, for Current Rupees One hundred and ſixteen thouſand, granted to the Honourable Warren Haſtings Eſquire, on Account of the Remittance Loan, at Four per Cent. per Annum, as per Advice of this Date from,

" Honourable,
Your faithful humble Servants,
John Macpherſon,
R. Sloper,
John Stables,
Chas Stuart."

" To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the Eaſt Indies, London.

" Accepted, by Order of the ſaid Court, from the 25th May 1786.
Thos Morton,
Secr^y.

" Examined,
J. Cheaſs,
Sub Accompt. Gen."

Indorſed on the Back as follows:
" Warren Haſtings,
John Woodman.

" Rec^d. for
Crofts & Co.
R. Barwick."

Then the Witneſs was directed to withdraw.

The

The Managers for the Commons ſtated, they ſhould next produce a Letter written by the Court of Directors, diſapproving of the Nature of the above Tranſaction.

Read, from Book 42, already delivered in, the following Extracts of a Letter from the Court of Directors, dated the 25th January, 1782, to the Governor General and Council at Fort William in Bengal, beginning at Page 58 of the ſame Book.

Bengal. Advances made by the Governor General.

Approved in Committee Correſpondence, 11th Jan. 1782.

Sent to Lords North and Hillſborough, 12th January 1782.

Par. 127. " We have received a Letter from our Governor General, dated the 29th of November 1780, relative to an unuſual Tender and Advance of Money, made by him to the Council, as entered on your Conſultation of the 26th of June, for the Purpoſe of indemnifying the Company from the extraordinary Charge which might be incurred by ſupplying the Detachment under the Command of Major Carnac, in the Invaſion of the Maratta Dominions which lay beyond the Diſtrict of Gohud, and thereby drawing the Attention of Mhadjee Scindia, to whom the Country appertained, from General Goddard, while the General was employed in the Reduction of Baſſein, and in ſecuring the Conqueſts made in the Guzerat Country: And alſo reſpecting the Sum of Three Lacs of Rupees, advanced by the Governor General for the Uſe of the Army under the Command of Chimnajee Booſla, without the Authority or Knowledge of the Council; with the Reaſons for taking theſe extraordinary Steps under the Circumſtances ſtated in his Letter.

Par. 128. " In regard to the Firſt of theſe Tranſactions, we readily conceive, that in the then State of the Council, the Governor General might be induced to temporary Secrecy, reſpecting the Members of the Board, not only becauſe he might be apprehenſive of Oppoſition to the propoſed Application of the Money, but, perhaps, becauſe Doubts might have ariſen concerning the Propriety of appropriating it to the Company's Uſe on any Account; but it does not appear to us that there could be any real Neceſſity for delaying to communicate to us immediate Information of the Channel by which the Money came into his Poſſeſſion, with a complete Illuſtration of the Cauſe or Cauſes of ſo extraordinary an Event.

Par. 129. Circumſtanced as Affairs were at the Moment, it appears that the Governor General had the Meaſure much at Heart, and judged it abſolutely neceſſary. The Means propoſed of defraying the extra Expence were very extraordinary; and the Money, as we conceive, muſt have come into his Hands by an unuſual Channel: and when more complete Information comes before us, we ſhall give our Sentiments fully upon the whole Tranſaction.

Par. 130. In regard to the Application of the Company's Money to the Army of Chimnajee Booſla, by the ſole Authority of the Governor General, he knew that it was entirely at his own Riſk, and he has taken the Reſponſibility upon himſelf; nothing but the moſt urgent Neceſſity could warrant the Meaſure; nor can any Thing ſhort of full Proof of ſuch Neceſſity, and of the Propriety and Utility of the extraordinary Step taken on this Occaſion, entitle the Governor General to the Approbation of the Court of Directors; and therefore, as in the former Inſtance relative to the Sum advanced and paid into our Treaſury, we muſt alſo for the preſent ſuſpend our Judgment reſpecting the Money ſent to the Berar Army, without approving it in the leaſt Degree, or proceeding to cenſure our Governor General for this Tranſaction.

Signed, at the End of the Letter,

Thoˢ Parry,	L. Sulivan,
Thoˢ Cheap,	Willᵐ James,
John Hunter,	Jnº Woodhouſe,
John Smith,	John Roberts,
John Harriſon,	John Manſhip,
L. Darell, junʳ	W. G. Freeman,
Jnº Townſon.	W. Benſley,

The Counſel for the Defendant deſired to know at what Time the Letter of the 5th of Auguſt 1786, written by Mr. Larkins, was received by the Eaſt India Company.

Whereupon Mr. ROBERT HUDSON was called in, and examined as follows:

Q. At what Time was the Letter written by Mr. Larkins of the 5th of Auguſt 1786, received by the Eaſt India Company?

A. The Receipt at the India Houſe was the 8th of March 1787.

The Managers for the Commons ſtated, they ſhould next proceed to another ſuppoſed Diſcovery of a Sum of Money received by Mr. Haſtings, contained in a Letter written, or ſuppoſed to be written, upon the 20th of January 1782.

Read, from Book 29, already delivered in, the following Letter from Mr. Haſtings to the Court of Directors, dated, Patna, 20th January 1782, with an Indorſement:

" The Deputy Chairman received this Letter from Major Scott, the 25th of July 1782, at Half paſt Twelve poſt Meridiem, at the Eaſt India Houſe, which the Major ſaid he preſented by Order of the Governor General.

" Patna, 20th January 1782.

" To the Honourable the Secret Committee of the Honourable Court of Directors.

" Honourable Sirs,

" While the Nabob Vizier was at Chunar, an Offer of a very conſiderable Sum of Money was made to me, both on his Part, and on that of his Miniſters, as a Preſent. I accepted it without Heſitation, and gladly, being entirely deſtitute both of Means and Credit, whether for your Service, or the Relief of my own Neceſſities. This Donation was not made in Specie, but in Bills, which have been in Part only, and tardily realized, being drawn on the Houſe of Gopaul Daſs, who was at the Time a Priſoner in the Hands of Cheit Sing. The Remainder is in Courſe of Payment, and I make no Doubt of its being paid. What I have received has been laid out in the Publick Service. The reſt ſhall be applied to the ſame Account. The nominal Sum is Ten Lacks of Rupees, of the Currency of Oude. As ſoon as the Whole is completed, I will tranſmit to you a faithful Account of it, reſigning the Diſpoſal of it entirely to the Pleaſure of Your Honourable Court. If you ſhall adjudge the Depoſit to me, I ſhall conſider it as the moſt honourable Approbation and Reward of my Labours; and I wiſh to owe my Fortune to your Bounty.

" I am now in the Fiftieth Year of my Life: I have paſſed Thirty-one Years in the Service of the Company, and the greateſt Part of that Time in Employments of the higheſt Truſt. My Conſcience allows me boldly to claim the Merit of Zeal and Integrity; nor has Fortune been unpropitious to their Exertions. To theſe Qualities I bound my Pretenſions. I ſhall not repine, if you ſhall deem otherwiſe of my Services; nor ought your Deciſion, however it may diſappoint my Hope of a Retreat, adequate to the Conſequence and Elevation of the Office which I now poſſeſs, to leſſen my Gratitude for having been ſo long permitted to hold it; ſince it has, at leaſt, enabled me to lay up a Proviſion, with which I can be contented in a more humble Station.

" I have the Honour to be,
Honourable Sirs,
Your moſt faithful, and moſt
obedient Servant,
Warren Haſtings."

The Managers for the Commons deſired to refer the Houſe to the Evidence given by Major Scott, in Page 561 of the printed Minutes, proving that the above-mentioned Letter was received by the Nancy Packet; and ſtated, that they ſhould next proceed to prove at what Time the Nancy left Bengal.

Whereupon Mr. Hudſon was again called in.

Q. What is that you have in your Hand?

A. This is a Liſt of Arrivals and Departures to and from the River Hughly, from the 25th of January to the 31ſt of March 1782. It appears from this Liſt, that the Nancy Packet ſailed from Bengal River on the 22d of February 1782.—This is an original Paper, ſigned by the Maſter Attendant.

The ſame was delivered in.

Read, the following Extract.

" A Liſt of Arrivals and Departures to and from the River Hughly, from the 25th of January to the 31ſt of March 1782.

" Departures of Ships, Snows, &c. from the River Hughly, 1782.

1782	Veſſels Names.	Commander's Names.	Tonnage.	Where bound.	Lading.
Feb. 22d	H. C. Snow Nancy.	Captain Hofferman		Europe.	With Diſpatches.

" Fort William,
the 31ſt March 1782.

Signed at the End,
J. Sampſon,
Mr Attendant."

The

The Managers for the Commons ſtated, they ſhould next proceed to ſhew, that Mr. Haſtings made no Communication whatever to the Board at Bengal of the Receipt of the Ten Lacks of Rupees in Queſtion.

Whereupon the Witneſs was aſked:

Q. Whether you have examined the Books of the Supreme Council at Bengal in the Years 1781 and 1782?
A. Yes, I have; the Conſultations.

Q. Whether you have been able to find upon thoſe Conſultations any Communication of the Receipt of a Sum of Ten Lacks of Rupees by the Governor General from the Vizier?
A. No; there was none; except when Major Palmer's Inſtructions were laid before the Board by Mr. Haſtings; there was then a Reference made to a Preſent.

Q. (*by a Lord.*) From what Time to what Time did you examine the Conſultations?
A. I have read them from 1782 to 1784.

Q. You are now aſked, Whether you have read the Conſultations in 1781 and 1782?
A. I have.

Q. Did you look them over with a View to ſee whether any Tranſaction of this Kind had been mentioned in them?
A. I believe I read every Minute of Mr. Haſtings within that Period.

Q. From what Part of 1781 to 1782 do you take upon you to be ſure that no ſuch Tranſaction was mentioned?
A. From July 1781 to the latter End of the Year 1784.

Q. Through the Whole of that Period?
A. Yes.

Q. You mentioned an Exception of a Letter from Major Palmer?
A. I ſaid, Inſtructions from Mr. Haſtings to Mr. Palmer.

Q. Did they appear upon the Conſultation?
A. Yes.

Q. Of what Date?
A. They are entered ſome Time in the Year 1783; I think in October.

(*Croſs examined.*) Q. Whether there was any Veſſel diſpatched from Bengal in the intermediate Period between the 20th of January 1782, the Date of Mr. Haſtings's Letter, and the 22d of February 1782, when the Nancy ſailed?
A. The Ship Dartmouth was diſpatched on the 19th of February 1782, but that Ship never arrived; ſhe was loſt.

Q. I wiſh the Witneſs to ſtate, whether a conſiderable Portion of Time does not uſually intervene between the Time when Veſſels are diſpatched, and when they actually ſail from Bengal?
A. I look upon it, the Nancy received her Diſpatches ſoon after the 14th of February.

Q. Do you know how long a Letter is, in the Courſe of the Poſt, coming from Patna to Bengal?
A. I never heard.

Q. Have you any Document there, which will inform you how long that Letter might have arrived at Calcutta before the Time of the Diſpatch of the Nancy?
A. I have not.

Q. What Day was this Letter of Mr. Larkins, which bears Date 5th Auguſt 1786, communicated to the Committee of the Houſe of Commons?
A. I recollect that Major Scott came up Stairs to the Office, and aſked me if ſuch a Letter was arrived. I ſaid, No. I went down, and found there was. He ſaid, he ſhould move for it in the Houſe that Day; and an Order came from the Houſe, I think the next Day, for it.

Q. (*by a Lord.*) When was it in point of Fact that it was moved for?
A. I believe it was moved for the next Day, the 9th of March.—I can prove that by the Court Books To-morrow.

Q. The 9th of March 1787?
A. I am not certain whether it was the 8th or 9th of March 1787.

The Managers for the Commons ſtated, that they had produced the Evidence ſubmitted to the Houſe to ſhew the Receipt of a very large Sum of Money acknowledged by

by Mr. Haſtings; and alſo for the further Purpoſe of ſhewing, that the other Two-thirds, which he ſaid he had borrowed from ſomebody elſe, and lent to the Company, had never been borrowed by him, nor ever had been lent to the Company, but that in Fact it always did belong to the Company.

The Counſel for the Defendant obſerved, that the Managers for the Commons have ſtated the Evidence to be produced, for Two Purpoſes; One to falſify an Allegation in a former Letter of Mr. Haſtings, and the other to eſtabliſh the Receipt of a further Sum of Money.—That as far as it was intended to eſtabliſh the Receipt of a Sum of Money not ſpecified in the Charges, ſo far they conceived it not admiſſible in Evidence, and ſo far they ſhould reſiſt it.

The Managers for the Commons replied, That when they proceeded to charge Mr. Haſtings with the Receipt of any Sum of Money, not charged in the Articles, it would be Time enough for the Counſel to make the Objection; but at preſent all that they offered to produce the Evidence in Queſtion for, was to falſify the Account which Mr. Haſtings gave upon the 29th of November 1780; and that for that Purpoſe they had a complete Right to produce it.

The Counſel for the Defendant ſaid, That underſtanding it to be produced for that Purpoſe only, they admitted it to be read.

Read, from Book 20, already delivered in, the following Letter to the Honourable the Secret Committee of the Honourable Court of Directors, ſigned Warren Haſtings, and dated Fort William, 22d May 1782.

" To the Honourable the Secret Committee of the Honourable Court of Directors.

" Honourable Sirs, Fort William, 22d May 1782.

" In a Letter which I have had the Honour to addreſs you in Duplicate, and of which a Triplicate accompanies this, dated 20 January 1782, I informed you that I had received the Offer of a Sum of Money from the Nabob Vizier and his Miniſters, to the nominal Amount of 10 Lacks of Lucknow Siccas, and that Bills on the Houſe of Gopaul Doſs had been actually given me for the Amount, which I had accepted for the Uſe of the Honourable Company, and I promiſed to account with you for the ſame, as ſoon as it ſhould be in my Power after the whole Sum had come into my Poſſeſſion. This Promiſe I now perform; and deeming it conſiſtent with the Spirit of it, I have added ſuch other Sums as have been occaſionally converted to the Company's Property through my Means, and in conſequence of the like original Deſtination. Of the Second of theſe you have been already adviſed in a Letter, which I had the Honour to addreſs the Honourable Court of Directors, dated 29th November 1780. Both this and the Third Article were paid immediately to the Treaſury, by my Order to the Sub Treaſurer to receive them on the Company's Account, but never paſſed through my Hands. The Three Sums for which Bonds were granted were in like Manner paid to the Company's Treaſury without paſſing through my Hands, but their Approbation was not ſpecified.

" The Sum of 50,000 Current Rupees was received while I was on my Journey to Benaris, and applied as expreſſed in the Account.

" As to the Manner in which theſe Sums have been expended, the Reference which I have made of it in the accompanying Account to the ſeveral Accounts in which they are credited, renders any other Specification of it unneceſſary; beſides that thoſe Accounts either have or will have received a much ſtronger Authentication than any that I could give to mine.

" Why theſe Sums were taken by me; why they were, except the Second, quietly transferred to the Company's Uſe; why Bonds were taken for the Firſt, and not for the Reſt, might, were this Matter to be expoſed to the View of the Publick, furniſh a Variety of Conjectures to which it would be of little Uſe to reply. Were your Honourable Court to queſtion me upon theſe Points, I would anſwer, that the Sums were taken for the Company's Benefit, at Times in which the Company very much needed them; that I either choſe to conceal the Firſt Receipts from publick Curioſity, by receiving Bonds for the Amount, or poſſibly acted without any ſtudied Deſign which my Memory could at this Diſtance of Time verify; and that I did not think it worth my Care to obſerve the ſame Means with the Reſt. I truſt, Honourable Sirs, to your Breaſts for a candid Interpretation of my Actions, and aſſume the Freedom to add, that I think myſelf on ſuch a Subject, on ſuch an Occaſion, entitled to it.

" I have the Honour to be,
Honourable Sirs,
Your moſt faithful, moſt obedient,
and moſt humble Servant,
Warren Haſtings."

" An ACCOUNT of Sums received on the Account of the Honourable Company, by the Governor General, or paid to their Treaſury by his Order, and applied to their Service.

" 1780.

" October. The following Sums were paid into the Treaſury, and Bonds granted for the ſame, in the Name of the Governor General, in whoſe Poſſeſſion the Bonds remain, with a Declaration upon each, indorſed and ſigned by him, that he has no Claim on the Company for the Amount either of Principal or Intereſt, no Part of the latter having been received:

One Bond, dated the 1ſt October 1780, N° 1539,	1,16,000	0	0	
One — 2d — — N° 1540,	1,16,000	0	0	
One — 23d November, N° 1354,	1,74,000	0	0	
				4,06,000 0 0

" November. Paid into the Treaſury, and carried to the Governor General's Credit in the 12th Page of the Depoſites Journal of 1780-81, Mohrs of Sorts which had been coined in the Mint, and produced, as per 358 and 359 Pages of the Company's General Journal of 1780-81, Gold Mohrs 12,861 12 11, or Calcutta Siccas — — 2,05,788 14 9

Batta 16 per Cent. — 32,926 3 6

2,38,715 2 3

" 1781.

" 30 April. Paid into the Treaſury, and credited in the 637th Page of the Company's General Journal, as Money received from the Governor General on Account of Durbar Charges — — Sicca Rup^{s} 2,00,000 0 0

Batta 16 per Cent. — 32,000 0 0

2,32,000 0 0

" Auguſt. Received in Caſh, and employed in defraying my public Diſburſements, and credited in the Governor General's Account of Durbar Charges for April 1782 — — 58,000 0 0

" Produce of the Sum mentioned in the Governor General's Letter to the Honourable Secret Committee, dated 20th January 1782, and credited in the Governor General's Account of Durbar Charges for April 1782 — — 10,30,275 1 3

Current Rupees — 19,64,990 3 6

" Fort William,
22d May 1782.

(Errors excepted.)
Warren Haſtings."

" I William Larkins do make Oath, and ſay, That the Letter and Account to which this Affidavit is affixed, were written by me, at the Requeſt of the Honourable Warren Haſtings Eſquire, on the 22d May 1782, from rough Drafts written by himſelf in my Preſence: That the Cover of the Letter was ſealed up by him in my Preſence, and was then intended to have been tranſmitted to England by the Lively, when that Veſſel was firſt ordered for Diſpatch; and that it has remained cloſed until this Day, when it was opened, for the expreſs Purpoſe of being accompanied by this Affidavit.

" Calcutta, So help me God.
16th December 1782. William Larkins."

" Sworn this 16th Day of December 1782, before me,
J. Hyde."

Read alſo, from the ſame Book, a Paper, indorſed, " Fort William, 16th December 1782. Letter from Warren Haſtings Eſquire, to the Secret Committee. Received per Lively, 24th May 1783," as follows:

" To the Honourable the Secret Committee of the Honourable Court of Directors.

" Honourable Sirs, Fort William, 16th December 1782.

" The Diſpatch of the Lively having been protracted, by various Cauſes, from Time to Time, the accompanying Addreſs, which was originally deſigned and prepared for that Diſpatch (no other Conveyance ſince occurring), has of Courſe been thus long detained. The Delay is of

no public Conſequence; but it has produced a Situation which, with Reſpect to myſelf, I regard as unfortunate; becauſe it expoſes me to the meaneſt Imputation, from the Occaſion which the late Parliamentary Inquiries have ſince furniſhed, but which were unknown when my Letter was written, and written in the neceſſary Conſequence of a Promiſe, made to that Effect in a former Letter to your Honourable Committee, dated 20th January laſt. However, to preclude the Poſſibility of ſuch Reflections from affecting me, I have deſired Mr. Larkins, who was privy to the whole Tranſactions, to affix to the Letter his Affidavit, of the Date in which it was written. I own I feel moſt ſenſibly the Mortification of being reduced to the Neceſſity of uſing ſuch Precautions to guard my Reputation from Diſhonour. If I had, at any Time, poſſeſſed that Degree of Confidence from my immediate Employers, which they never withheld from the meaneſt of my Predeceſſors, I ſhould have diſdained to uſe theſe Attentions. How I have drawn on me a different Treatment, I know not; it is ſufficient that I have not merited it. And in the Courſe of a Service of Thirty-two Years, and Ten of theſe employed in maintaining the Powers, and diſcharging the Duties of the Firſt Office of the Britiſh Government in India, that Honourable Court ought to know whether I poſſeſs the Integrity and Honour which are the firſt Requiſites of ſuch a Station. If I wanted theſe, they have afforded me but too powerful Incentives to ſuppreſs the Information which I now convey to them through you; and to appropriate to my own Uſe the Sums which I have already paſſed to their Credit, by the unworthy, and, pardon me if I add, dangerous Reflections, which they have paſſed upon me, for the firſt Communication of this Kind; and your own Experience will ſuggeſt to you, that there are Perſons who would profit by ſuch a Warning.

" Upon the Whole of theſe Tranſactions, which to you, who are accuſtomed to view Buſineſs in an official and regular Light, may appear unprecedented, if not improper, I have but a few ſhort Remarks to ſuggeſt to your Conſideration.

" If I appear in any unfavourable Light by theſe Tranſactions, I reſign the common and legal Security of thoſe who commit Crimes or Errors. I am ready to anſwer every particular Queſtion that may be put againſt myſelf, upon Honour, or upon Oath.

" The Sources from which theſe Reliefs to the publick Service have come, would never have yielded them to the Company publickly; and the Exigencies of your Service (Exigencies created by the Expoſition of your Affairs, and Faction in your Councils) required thoſe Supplies.

" I could have concealed them, had I had a wrong Motive, from yours and the publick Eye for ever; and I know that the Difficulties to which a Spirit of Injuſtice may ſubject me for my Candour and Avowal, are greater than any poſſible Inconvenience that could have attended the Concealment, except the Diſſatisfaction of my own Mind. Theſe Difficulties are but a few of thoſe which I have ſuffered in your Service. The Applauſe of my own Breaſt is my ſureſt Reward, and was the Support of my Mind in meeting them. Your Applauſe, and that of my Country, are my next Wiſh in Life.

" I have the Honour to be,
Honourable Sirs,
Your moſt faithful, moſt obedient,
and moſt humble Servant,
Warren Haſtings."

Then the Witneſs produced Book 20, intituled, " Bengal Letters, received 10th April 1782 to 13th April 1783."

Read, a Letter to the Honourable the Secret Committee of the Honourable Court of Directors, ſigned Warren Haſtings, and dated Fort William, 22d May 1782.

Read, the following Extract from Mr. Haſtings's Manuſcript Introductory Defence, delivered at the Bar of the Houſe of Commons, beginning at Page 365 of the ſame.

" I have already fully explained the Tranſaction of the Two Lacks of Rupees given by Sadamund; the Sum of 4,06,000 Rupees, for which Bonds were given, was paid directly into the Company's Treaſury for their Uſe, and never paſſed through my Hands; and in a few Months after the Receipt of it, when I was about to leave the Preſidency to proceed up the Country on a Service liable to perſonal Danger, I endorſed the Bonds payable to the Company, and left them in the Hands of Mr. Larkins, our Accountant General, with expreſs Directions to deliver them up. I hope I need not detain this Honourable Houſe, by obviating the Cavil that an Indorſement on a Bond is not good in Common Law, though it is in Equity. I flatter myſelf it will be evident that I had no corrupt Motive in taking this Money, that it was bona fide for the Company's Uſe, that they and not I had the Benefit of it, and that the Alienation of my Right by the Indorſement, was in fact as effectual as a formal Transfer."

To prove that the Service of perſonal Danger, alluded to in the above Extract, was the Expedition Mr. Haſtings made to Benares,

Read,

Read, the following Extract from the printed Minutes of Evidence, beginning at Page 109 of the ſame:

" I left Calcutta on the 17th of July."

Read, the following Extract from Mr. Haſtings's Manuſcript Introductory Defence, delivered at the Bar of the Houſe of Commons, beginning at Page 369 of the ſame.

" No Member of this Honourable Houſe ſuſpects me, I hope, of the Meanneſs and Guilt of preſenting falſe Accounts. I have never benefited by contingent Charges, or by retaining the Money of the Public in my own Poſſeſſion, for my private Emolument."

Read, further Extract from the ſame Defence, beginning at Page 377 of the ſame.

" Whatever Imperfections there may be in my Character—and I have many—yet no Man who knows me, will ſuppoſe me capable of aſſerting an Untruth, or, which is in fact the ſame, of preſenting a falſe Account to this Honourable Houſe, or to my old and indulgent Maſters, the Proprietors of Eaſt India Stock."

The Managers for the Commons ſtated, They ſhould next produce the Bonds themſelves, with the Indorſements upon them,—Mr. Haſtings having ſtated that the Indorſements were made in the Month of July 1781.

Then Mr. Robert Hudſon was again called in.

Q. What are thoſe Papers you have in your Hands?
A. Three original Bengal Bonds, delivered up in Council by Mr. Haſtings on the 17th of January 1785, and cancelled in the Preſence of the Board, with a Depoſition from the Accountant General annexed.

The Counſel for the Defendant deſired that the Depoſition of Mr. Larkins, being a Part of the above Tranſmiſſion, might be read.

The ſame was accordingly read, as follows.

§ (" Fort William, } William Larkins of Calcutta, at Fort William in Bengal, Eſquire, Ac-
" in Bengal. } countant General to the Governor General in Council for the Affairs of the United Company of Merchants of England trading to the Eaſt Indies, maketh
" Oath and ſaith, That on or about the Twenty-ninth Day of May, in the Year of our Lord One
" thouſand ſeven hundred and eighty-two, he, this Deponent, was preſent with, and at the Houſe
" of Warren Haſtings Eſquire, late Governor General of Bengal, at Allypore, near Calcutta afore-
" ſaid, when he, this Deponent, produced and delivered to the ſaid Warren Haſtings Three ſeveral Paper
" Writings, or accountable Receipts, on Account of the ſaid United Company of Merchants of
" England trading to the Eaſt Indies, commonly called " Company's Bengal Bonds;" that is to ſay,
" One, N° 1354, for the Sum of Current Rupees One hundred and ſeventy-four thouſand, dated in
" Fort William, the Twenty-third Day of November One thouſand ſeven hundred and eighty, under
" the Seal of the ſaid United Company, and ſigned by the ſaid Warren Haſtings in his Capacity of
" Governor General as aforeſaid, and by Edward Wheler Eſquire, then One of the Members of the
" Council at Fort William aforeſaid, and made payable to the Honourable Warren Haſtings Eſquire;
" One other, N° 1539, for the Sum of Current Rupees One hundred and ſixteen thouſand, dated in
" Fort William, the Firſt Day of October One thouſand ſeven hundred and eighty, alſo under the Seal
" of the ſaid United Company, and ſigned by the ſaid Warren Haſtings in his ſaid Capacity of Governor
" General as aforeſaid, and by the ſaid Edward Wheler as One of the Members of the ſaid Council,
" and made payable in like Manner to the Honourable Warren Haſtings Eſquire; and one other,
" N° 1540, for a further Sum of Current Rupees One hundred and ſixteen thouſand, dated in Fort
" William, the Second Day of October One thouſand ſeven hundred and eighty, alſo under the
" Seal of the ſaid United Company, and ſigned by the ſaid Warren Haſtings in his ſaid Ca-
" pacity of Governor General as aforeſaid, and by the ſaid Edward Wheler as One of the
" Members of the ſaid Council, and made payable in like Manner to the Honourable Warren
" Haſtings Eſquire: And this Deponent further ſaith, That he, this Deponent, was, at the
" Time before mentioned, preſent, and did ſee the ſaid Warren Haſtings write and indorſe upon
" the Back of each and every of the ſaid Paper Writings, or accountable Receipts, commonly
" called " Company's Bengal Bonds," the Words and Figures following; that is to ſay, " I
" declare that I have no Claim on the Honourable Company for the Amount of this Bond,
" neither Principal nor Intereſt. Fort William, 29th May 1782. Warren Haſtings." And
" the ſaid Three Paper Writings, or accountable Receipts, being now ſhewn to this Deponent, he,
" this Deponent, ſaith, That the ſaid Writings or Indorſements upon the Back of the ſaid Three
" ſeveral Paper Writings, or accountable Receipts, and the Name or Names " Warren Haſtings,"
" ſet and ſubſcribed to each and every of the ſaid ſeveral Writings or Indorſements, is and are of the

" proper

" proper Hand Writing and ſubſcribing of the ſaid Warren Haſtings, and are, as this Deponent " verily believes, the ſame Writings and Indorſements, ſo as aforeſaid written, indorſed and ſub- " ſcribed by the ſaid Warren Haſtings in the Preſence of this Deponent, and were actually written " and ſubſcribed by the ſaid Warren Haſtings on the Day on which they reſpectively bear Date.

" Wm Larkins."

" Sworn in the Council Chamber, at Fort William
" in Bengal, this 10th Day of March 1789,
" Before
" Cornwallis.")

The Counſel for the Defendant deſired to know, Whether there was not a Copy of a Letter ſent home, with this Affidavit from Mr. Larkins, to the Board, in which he ſtates an Application from England, deſiring him to get theſe Bonds ſent home; and deſired the ſame might be read.

The Managers for the Commons ſtated, That they had no Objection.

Read, the Papers produced by the Witneſs, as follows.

(L. S.) " Borrowed and received, on Account of the Honourable United Company of Merchants of England trading to the Eaſt Indies, of the Honourable Warren Haſtings Eſquire, the Sum of Current Rupees One hundred and ſixteen thouſand, which we promiſe to pay at the Expiration of Twelve Calendar Months, with Intereſt at the Rate of Eight per Cent. per Annum, from the Date thereof, with this Proviſo, that Three Months Notice be firſt given at the Treaſury demanding Payment thereof; and we likewiſe agree, not to oblige the Principal to be received back, until Six Months Notice has been publiſhed of our Intentions to diſcharge it. Dated in Fort William, the Firſt Day of October 1780.

Current Rupees 116,000.

" Witneſs our Hands, and Seal of the ſaid Company,

" End. Cs Croftes.

Warren Haſtings,
Edwd Wheler.

" Cancelled in the Preſence of the Honourable Board, 17th January 1785.
W. Bruen, Secretary."

" I declare that I have no Claim on the Honourable Company for the Amount of this Bond, neither Principal nor Intereſt.

" Fort William, 29th May 1782. Warren Haſtings."

Indorſed on the Back as follows:

" No 1.
" Intereſt Note in Favour of the Honourable the Governor General, for Current Rupees 1,16,000.
" Cancelled in Council 17th January.
" To be kept in Conſultation 17th January, but not entered."

(L. S.) " Borrowed and received, on Account of the Honourable United Company of Merchants of England trading to the Eaſt Indies, of the Honourable Warren Haſtings Eſquire, the Sum of Current Rupees One hundred and ſixteen thouſand, which we promiſe to pay at the Expiration of Twelve Calendar Months, with Intereſt, at the Rate of Eight per Cent. per Annum, from the Date hereof, with this Proviſo, that Three Months Notice be Firſt given at the Treaſury, demanding Payment thereof; and we likewiſe agree not to oblige the Principal to be received back until Six Months Notice has been publiſhed of our Intentions to diſcharge it. Dated in Fort William, the Second Day of October 1780.

Current Rupees 1,16,000.

" Witneſs our Hands, and Seal of the ſaid Company,

" End. C. Croftes,
S. T."

Warren Haſtings,
Edwd Wheler.

" Cancelled in the Preſence of the Honourable Board, 17th January 1785.
W. Bruen, Secretary."

" I declare that I have no Claim on the Honourable Company for the Amount of this Bond, neither Principal nor Intereſt. Fort William, 29th May 1782.

" Warren Haſtings."

Indorſed on the Back as follows:

" No. 2.
" Intereſt Note in Favour of the Honourable the Governor General, for Current Rupees 1,16,000.
" Cancelled in Council 17th January.
" To be kept in Conſultation 17th January, but not entered."

(L. S.) " Borrowed and received, on Account of the Honourable United Company of Merchants of England trading to the Eaſt Indies, of the Honourable Warren Haſtings Eſquire, the Sum of Current Rupees One hundred ſeventy-four thouſand, which we promiſe to pay at the Expiration of Twelve Calendar Months, with Intereſt at the Rate of Eight per Cent. per Annum, from the Date hereof, with this Proviſo, that Three Months Notice be firſt given at the Treaſury demanding Payment thereof; and we likewiſe agree not to oblige the Principal to be received back, until Six Months Notice has been publiſhed of our Intentions to diſcharge it. Dated in Fort William, the Twenty-third Day of November 1780. Current Rupees 1,74,000.

" Witneſs our Hands, and Seal of the ſaid Company,

" En^d C. Croftes. ~~Warren Haſtings,~~ ~~Edwd Wheler.~~

" Cancelled in the Preſence of the Honourable Board, 17th January 1785.

" W. Bruen,
Secretary."

" I declare that I have no Claim on the Honourable Company for the Amount of this Bond, neither Principal nor Intereſt.

" Fort William, 29th May 1782. " Warren Haſtings."

Indorſed on the Back as follows:

" N° 3.

" Intereſt Note in Favour of the Honourable the Governor General, for Current Rupees 1,74,000.

" Cancelled in Council 17th January.

" To be kept in Conſultation 17th January, but not entered."

Then the Witneſs produced Book 226.

Read, the following Extract of a Conſultation of the 4th of March 1789, beginning at Page 592 of the ſame Book.

§ (" Fort William, the 4th March 1789.

" At a Council; Preſent, Pub. Dept. Wedneſday.

" Earl Cornwallis, K. B. Governor General, Preſident;

" The Honourable Charles Stuart.

" John Shore Eſquire, indiſpoſed.

" Read, a Letter from Mr. Larkins, acting Attorney for Warren Haſtings Eſq.

" My Lord,

" The Three Bonds, N° 1354, 1539, and 1540, alluded to in 9 and 10 Paragraphs of the " Letter which, at the Requiſition of Mr. Haſtings, was addreſſed by me to the Chairman for the " Time being of the Honourable the Court of Directors, under Date of 5th Auguſt 1786, entered " as N° 49 of the Appendix to the Second Article of the Charges preferred againſt Mr. Haſtings " by the Honourable the Houſe of Commons, having been miſlaid, till lately I was prevented from " preferring the Sollicitation recommended by Major Scott to be made in Behalf of Mr. Haſtings, " that an authentic Copy of the Declaration, made in theſe Bonds by Mr. Haſtings, might be " tranſmitted to England, to be adduced, if neceſſary, in Corroboration of the Teſtimony which I " have already given upon this Tranſaction.

" As the beſt legal Evidence is always required upon ſuch Occaſions, I could wiſh, my Lord, " that the original Bonds may be tranſmitted to the Honourable Court of Directors, a Number of " the Northumberland's Packet, and that Mr. Hay, the Secretary to the Government, and Mr. " John White, the Sub Secretary in the public Department, who are well acquainted with Mr. " Haſtings's Hand-writing, may be allowed to make Two Copies of each of the Bonds, and the " Declarations made thereon; that One of theſe may be tranſmitted to England, to ſupply the Place " of the Originals, in caſe any Accident ſhould prevent theſe from being received, and the other to " remain in Charge of the Sub Treaſurer, to anſwer any Reference that may be neceſſary in India.

" I have the Honour to be, &c.

(Signed) " Wm Larkins,
" Acts Atty of W. Haſtings Eſq."

" Fort William,
" the 25th February 1789.

" Agreed to, and ordered according to the Requeſts made by Mr. Larkins.") §

The Managers for the Commons ſtated, That they ſhould next produce a Letter of the 21ſt of February 1784, containing a Declaration from Mr. Haſtings with reſpect to another Sum of Money which he had received from a Perſon of the Name of Nobkiſſin.

Read, the following Extract from Book 113, already delivered in.

☞ [" Letter from the Governor General to the Honourable Court of Directors, and Incloſures.

" To the Honourable Court of Directors of the Honourable United Eaſt India Company.

" Honourable Sirs, On the River Ganges, 21ſt February 1784.

" Having had Occaſion to diſburſe from my own Caſh many Sums, for Services which, though required to enable me to execute the Duties of my Station, I have hitherto omitted to enter in my public Accounts, and my own Fortune being unequal to ſo heavy a Charge, I have reſolved to reimburſe myſelf in a Mode the moſt ſuitable to the Situation of your Affairs, by charging the ſame on my Durbar Accounts of the preſent Year, and crediting them by a Sum privately received, and appropriated to your Service in the ſame Manner with other Sums received on Account of the Honourable Company, and already carried to their Account.

" The Particulars of theſe Diſburſements are contained in the incloſed Accounts, N° 1, 2, 3, and 4, of which N° 5 is the Abſtract.

" I ſhall ſubjoin a brief Explanation of each.

" The Sum of the Account N° 1 is the Difference between the Allowance of 300 Rupees a Month, which was the cuſtomary Pay of the Governor's Military Secretary, and that which I allowed to Lieutenant Colonel Ironſide during the Time that he acted in that Capacity, on account of his ſuperior Rank. It was referred to your Honourable Court, in One of the General Letters of the Year 1773 or 4; but I preſume that it was overlooked, in the Preſſure of other more important Matters which at that Time occupied your Attention.

" N° 2 and 3 are explained in the Accounts themſelves.

" N° 4 conſiſts of Three ſeveral Kinds of Charges, which I confeſs to have been unauthoriſed, but which I humbly conceive neither to be of a private Nature, nor unworthy Subjects of the Bounty of a great and riſing State.—The Firſt is inconſiderable, conſiſting chiefly in the Subſiſtence of the Pundits, who were aſſembled in Calcutta, and employed during Two Years in compiling the Code of Hindoo Laws for your Uſe. The Sum allotted to them was, as I recollect, One Rupee per Diem; a larger Recompenſe was offered, but refuſed; nor would they receive this, but for their daily Support: They had indeed the Promiſe of ſome public Endowments for their Colleges, which yet remain unperformed.—The Second is the Amount of ſundry Monthly Salaries paid to ſome of the moſt learned Profeſſors of the Mahomedan Law, for tranſlating, from the Arabic into the Perſian Tongue, a Compendium of their Law, called the Hedaya, which is held in high Eſtimation, and Part of a more voluminous Work, which I could not proſecute. Your Honourable Court is in Poſſeſſion of a Part of the Engliſh Verſion of Hedaya, made by Mr. James Anderſon, and a ſubſequent Part of the ſame Work has been lately tranſlated by Mr. Hamilton. Theſe Gentlemen are both engaged in the Completion of it, and are both eminently qualified for it. It would exceed the due Bounds of this Letter, to expatiate on the Utility of this Work; yet I may be allowed to vindicate the Expence of it by One ſummary Argument, which is, that while the Mahomedan Law is allowed to be the Standard of the Criminal Juriſprudence of your Dominion, under the Controul and Inſpection of your Engliſh Servants, it ſeems indiſpenſably neceſſary that the Judges of the Courts ſhould have a more familiar Guide for their Proceedings than the Books of the Arabic Tongue, of which few have Opportunities of obtaining a competent Knowledge; and as neceſſary that your Servants ſhould poſſeſs the Means of conſulting the Principles on which thoſe Judgments are founded, which, in their ultimate Reſort, and in extraordinary Caſes, may fall within their immediate Cognizance, and of the Laws of which they are the Protectors.—The Third Charge is that of an Academy, inſtituted for the Study of the different Branches of the Sciences taught in the Mahomedan Schools. After a Trial of about Two Years, finding that it was likely to anſwer the End of its Inſtitution, I recommended to the Board, and obtained their Conſent, to paſs the ſubſequent Expence of the Eſtabliſhment to the Account of the Company, and to erect a Building for the Purpoſe at my own immediate Coſt, but for a Company's Intereſt Note granted me for the Reimburſement of it. It is almoſt the only complete Eſtabliſhment of the Kind now exiſting in India, although they were once in univerſal Uſe, and the decayed Remains of theſe Schools are yet to be ſeen in every capital Town or City of Hindoſtan and Decan. It has contributed to extend the Credit of the Engliſh Name, and to ſoften the Prejudices excited by the rapid Growth of the Britiſh Dominion; and it is a Seminary of the moſt uſeful Members of Society.

" I humbly ſubmit the Propriety of carrying theſe Expences to your Account, by the Conſideration, that it was not poſſible for me to have been influenced, in incurring them, by any Purpoſe of my own Intereſt. Something, perhaps, may be attributed to the Impulſe of Pride, in the Share which I might hope to derive of a public Benefaction; but certainly not to Vanity or Oſtentation, ſince I believe it to be generally conceived, that the whole Expence, of which the greateſt Part is yet my own, has been already defrayed from the Treaſury of the Company.

" I will

" I will candidly confeſs, that when I firſt engaged, both in this and the preceding Expence, I had no Intention of carrying it to the Account of the Company. Improvident for myſelf, zealous for the Honour of my Country, and the Credit and Intereſt of my Employers; I ſeldom permitted my Proſpects of Futurity to enter into the View of my private Concerns. In the undiſturbed Exerciſe of the Faculties which appertained to the active Seaſon of my Life, I confined all my Regards to my public Character, and reckoned on a Fund of Years to come for its Duration. The Infirmities of Life have ſince ſucceeded, and I have lately received more than One ſevere Warning to retire from a Scene to which my bodily Strength is no longer equal, and threatens me with a correſponding Decay in whatever Powers of Mind I once poſſeſſed, to diſcharge the laborious Duties and hard Viciſſitudes of my Station. With this Change in my Condition, I am compelled to depart from that liberal Plan which I originally adopted, and to claim from your Juſtice, for you have forbid me to appeal to your Generoſity, the Diſcharge of a Debt which I can, with the moſt ſcrupulous Integrity, aver to be juſtly my Due, and which I cannot ſuſtain.

" If it ſhould be objected, that the Allowance of theſe Demands would furniſh a Precedent for others of the like Kind, I have to remark, that in their whole Amount they are but the Aggregate of a contingent Account of Twelve Years; and if it were to become the Practice of thoſe who have paſſed their Prime of Life in your Service, and filled, as I have filled it, the Firſt Office of your Dominion, to glean from their paſt Accounts all the Articles of Expence which their Inaccuracy or Indifference hath overlooked, your Intereſts would ſuffer infinitely leſs by the Precedent, than by a ſingle Example of a Life ſpent in the Accumulation of Crores for your Benefit, and doomed in its Cloſe to ſuffer the Extremity of private Want, and to ſink in Obſcurity.

" I have thought it proper to complete the preſent Subject, by the Addition of a Charge which I intended to have ſubmitted regularly to the Board; but which, if divided at this Time from the others, might have admitted an unfair Conſtruction. It is in the Account N° 6, and conſiſts of Charges incurred for Boats and Budgerows provided by me, for my own Uſe, on ſuch public Occaſions as require my Departure from the Preſidency on extraordinary Services.

" My Predeceſſors have always had an Eſtabliſhment of this Kind provided for them, and my Succeſſor will have a Proviſion devolve to him, ſuperior in Convenience and in Elegance to any that I have yet ſeen, and furniſhed with a Coſt which would not be credited by thoſe who have ſeen the Subjects of it.

" I have the Honour to be, with the greateſt Reſpect,

Honourable Sirs,

Your moſt obedient and
moſt faithful Servant,
Warren Haſtings."]

" DUPLICATE.

§ (" An Account of Sums diſburſed by the Governor-General for the Hire of Houſes occupied by " his Aides de Camp, from 1ſt December 1775 to January 1784.

" 1778.

" Aug. 1.	To Amount charged for by the Executors of John Stewart, Amount of the Rent of the Houſe occupied by the Governor General's Aides de Camp, from the 1ſt December 1775 to the 1ſt Auguſt 1778, being 32 Months, at 600 Arg[a] per Month			19,200	
"	Intereſt on 1,800 Arg[a] for 29 Months, at 10 per Cent. is	—	—	485	
"	Do. on 1,800 for 26 Months, at 10 per Cent. is			390	
"	Do. on 1,800 for 23 do.		—	345	
"	Do. on 1,800 for 20 do.		—	300	
"	Do. on 1,800 for 17 do.		—	255	
"	Do. on 1,800 for 14 do.		—	210	
"	Do. on 1,800 for 11 do.		—	165	
"	Do. on 1,800 for 8 do.	—	—	120	
"	Do. on 1,800 for 5 do.		—	75	
"	Do. on 1,800 for 2 do.	—	—	30	2,325 0 0
					21,525 0 0
			" Batta 8 per Cent.		1,722 0 0
					23,247 0 0
	" Intereſt from 1ſt Auguſt to 23d September 1788				343 1 8
					23,590 1 8

" 1782.			Brought over,		23,590 1 8
April.	Paid Mr. Alexander for Mr. Scott for the Rent of the Houſe occupied by the Governor General's Aid de Camp, from 28th May to 1ſt July 1771, is 1 M° and 4 Days, at 260 S^as per Month —		294 10 6		
	" Aſſeſſment for June 1781 — —		11 4 0		
		S^as	305 14 6		354 13 6
	" Do. Mr. Fairfax Moreſby for the Rent of the Houſe occupied by the do. for May and June, at 350 Sic^a per Month,	S^as	700 0 0		
		" Batta 16 per Cent.	112 0 0		
					812 0 0
" Dec.	Do. Meſſrs. Alexander and Colvin, Attornies to Mr. J. P. Scott, as per Bill for do. for January, February, March, and April, 1782, at 260 Sa^a per Month — —	1,040 0 0			
	" Tax for 4 Months	45 0 0			
			1,085 0 0		
		" Batta 16 per Cent.	173 9 6		
			1,258 9 6		
	" Do. Mr. Fairfax Moreſby, as per Bill for do. for July, Auguſt, September, and October, 1782, at 350 Sa^a per Month,	S^a R^s 1,400 or	1,624 0 0		2,882 9 6
" 1783.					
June.	Do. Mr. F^x Moreſby, as per Bill for do. from 1ſt November to 31ſt March 1783, is 5 Months, at 350 S^as per Month — —		1,750 0 0		
		Batta 16 per Cent.	280 0 0		
					2,030 0 0
	" Due to Mr. Fairfax Moreſby for do. from 1ſt April to 31ſt December 1783, is 9 Months, at 350 S^as per Month, — — —	S^as	3,150 0 0	or	3,654 0 0
				Current Rupees	33,323 8 0

" Fort William, the 31ſt December 1783. (Errors excepted) Wm Larkin, A^ctg Atty for the Honble. Warren Haſtings."

" DUPLICATE.

" An Account of Sums diſburſed by the Governor General for the Diet and other Charges of Pundits employed in compiling the Code of Hindoo Laws, for the Salaries of Perſons employed in tranſlating Books of the Mahommedan Law, and other Charges incidental to the ſame; and for the Wages and other Expences of the Madriſſa or Mahommedan Academy.

" 1774.					
July.	Paid the undermentioned People for tranſlating the Futwah Alemgeeree, viz.				
	" Golaum Yohya for June 1774	300 0 0			
	" Meer Mahomed Hoſſen	250 0 0			
	" Fauj o'Din — —	200 0 0			
	" Sherreul Oola —	150 0 0			
			900 0 0		
	" For tranſcribing fair:				
	" Zewad Ullah —	75 0 0			
	" Abdullah — —	75 0 0			
			150 0 0		
		" Ar^s	1,050 0 0		
		" Batta 8 per Cent.	84 0 0		
					1,134 0 0

" 1774.										
" Aug.	Do.	do. for July 1774	—	—				1,134	0	0
" Sept.	Do.	do.	Auguſt	—	—			1,134	0	0
" Oct.	Do.	do.	September	—	—			1,134	0	0
" Nov.	Do.	do.	October	—	1,050	0	0			
	" Mahomed Keamdy, Perſian Tranſlator, his Wages for 3 Months	—	—	—	150	0	0			
				Ar'	1,200	0	0	1,296	0	0
" Dec.	Paid Perſian Tranſlators their Wages for November				1,134	0	0			
	" Keamdy Perſian Tranſlator's Wages from 10th November to 30th inſtant, is 20 Days				35	15	6	1,169	15	0
" 1775.										
" Jan.	Do. the Perſian Tranſlators their Wages for December 1774	—	—	—	—	—		1,188	0	0
" Feb.	Do.	do.	—	for January 1775	—			1,188	0	0
" March.	Do.	do.	—	for February	—			1,188	0	0
" April.	Do.	do.	—	for March	—			1,169	3	9
" May.	Do.	do.	—	for April	—			1,134	0	0
" June.	Do.	do.	—	for May	—			1,134	0	0
" July.	Do.	do.	—	for June	—			1,134	0	0
	" Do. the Bengal Tranſlators, for May, June, and July				—			356	6	6
" Aug.	Do. the Perſian Tranſlators their Wages for July 1775				1,134	0	0			
	" Do. Mr. Halhed for Diet to the Pundits employed in tranſlating the Hindoo Code for July 1775				118	12	9			
	" Do. Moonſhey's Allowance for July and Auguſt				64	12	9			
								1,317	9	6
" Sept.	Do. the Perſian Tranſlators their Wages for Auguſt 1775	—	—	—	—			1,134	0	0
" Oct.	Do.	do.	for September 1775	—	1,134	0	0			
	" Do. Mr. Halhed for Diet to the Pundits employed in tranſlating the Hindoo Code for September 1775				118	12	9			
								1,252	12	9
" Nov.	Do. the Perſian Tranſlators for October and November 1775	—	—	—	2,268	0	0			
	" Do. Mr. Halhed for Pundits, for October	—			118	12	9			
								2,386	12	9
" Dec.	Do.	do.	for November	—	—			118	12	9
" 1776.										
" Jan.	Do.	do.	for December	—	—			118	12	9
	" Do. the Perſian Tranſlators their Wages for December and January 1776	—	—	—	—			2,268	0	0
" Feb.	Do. the Perſian Tranſlators for February	—			1,134	0	0			
	" Do. Mr. Halhed for Pundits for January	—			118	12	9			
								1,252	12	9
" March.	Do.	do. for February	—		—			118	12	9
" April.	Do.	do. for March	—		—			118	12	9
	" Do. the Perſian Tranſlators Wages for March and April				—			2,268	0	0
" May.	Do. Mr. Halhed for Pundits for April	—			118	12	9			
	" Do. the Perſian Tranſlators for May	—			1,134	0	0			
								1,252	12	9

" 1776.									
" June.	Paid Mr. Halhed for Pundits for May	—	—				118	12	9
" July,	Do. do. for June	—	118	12	9				
	" Do. the Perſian Tranſlators for June and July	—	2,268	0	0				
							2,386	12	9
" Aug.	Do. do. for Auguſt	—	1,800	5	9				
	" Do. Mr. Halhed for Pundits for July	—	118	12	9				
							1,919	2	6
" Sept.	Do. do. for Auguſt and September		237	9	6				
	" Do. the Perſian Tranſlators for September	—	1,134	0	0				
							1,371	9	6
" Oct.	Do. do. for October	—	—				1,134	0	0
" Nov.	Do. the Perſian Tranſlators their Wages for this Month		1,134	0	0				
	" Muſtapha Alley Cuſhnavies 200	—	216	0	0				
	" Mr. Haldhed for Pundits for this Month	—	118	12	9				
							1,468	12	9
	" For binding Books and Papers	—	—				41	9	3
" Dec.	" The Perſian Tranſlators their Wages for December		1,134	0	0				
	" Muſtapha Alley Cuſhnavies	—	216	0	0				
	" Mr. Halhed for Pundits for November and December	—	237	9	6				
	" For Two Quires of Coſmeree Paper for Books		13	8	0				
							1,611	1	6
" 1777.									
" Jan.	Paid the Perſian Tranſlators their Wages for this Month		1,134	0	0				
	" Muſtapha Alley Cuſhnavies	—	216	0	0				
							1,350	0	0
" Feb.	" The Perſian Tranſlators their Wages for this Month		1,134	0	0				
	" Muſtapha Alley Cuſhnavies	—	216	0	0				
	" Mr. Halhed for Pundits for January	—	118	12	9				
							1,468	12	9
	" For 1 Book	— Arᵃ	150	8	0				
	" 1 do.	— —	42	0	0				
	" 1 do.	—	9	4	0				
			201	12	0	or	217	14	3
" March.	The Perſian Tranſlators their Wages for this Month		1,134	0	0				
	" Muſtapha Alley Cuſhnavies	—	216	0	0				
	" Mr. Halhed for Pundits Salary for February and March	—	237	9	6				
	" For making Books	—	10	12	9				
							1,598	6	0
" April.	The Perſian Tranſlators their Wages for this Month		1,134	0	0				
	" Muſtapha Alley Cuſhnavies	—	216	0	0				
	" Mr. Halhed for Pundits Salary for this Month		118	12	9				
							1,468	12	9
" May.	The Perſian Tranſlators their Wages for this Month		1,134	0	0				
	" Muſtapha Alley Cuſhnavies	—	216	0	0				
							1,350	0	0
" June	The Perſian Tranſlators their Wages for this Month		1,134	0	0				
	" Muſtapha Alley Cuſhnavies	—	216	0	0				
	" Mr. Halhed for Pundits for May	—	118	12	9				
							1,468	12	9

" 1777.					
" July.	Paid Mr. Halhed for Pundits for June —		118 12 9		
	" The Perſian Tranſlators, their Wages for this Month — — —		1,134 0 0		
	" Muſtapha Alley Cuſhnavies — —		216 0 0		
				1,468 12 9	
" Auguſt.	Ditto ditto for this Month —		—	1,468 12 9	
" Sept.	Ditto ditto — —		—	1,468 12 9	
" October.	Ditto ditto — —		—	1,468 12 9	
" Nov.	Ditto ditto — —		—	1,468 12 9	
" Dec.	Ditto ditto — —		—	1,468 12 9	
	" Mr. Halhed for Pundits Salary for December		118 12 9		
	" The Perſian Tranſlators, their Wages for January		1,134 0 0		
	" Muſtapha Alley Cuſhnavies —		216 0 0		
	" 1 Blank Book — — —		158 3 6		
				1,627 0 3	
" 1778.					
" February.	Mr. Halhed for Pundits for January —		118 12 9		
	" Muſtapha Alley Cuſhnavies for February		216 0 0		
				334 12 9	
" March.	Ditto for March —		216 0 0		
	" Mr. Halhed for Pundits Wages for February		118 12 9		
				334 12 9	
" April.	Ditto ditto for this Month —		—	334 12 9	
" May.	Ditto ditto ditto —		—	334 12 9	
" June.	Ditto ditto ditto —		—	334 12 9	
	" Muſtapha Alley Cuſhnavies for this Month		216 0 0		
	" 1 Blank Book — —		120 6 9		
				336 6 9	
" Auguſt.	Muſtapha Alley Cuſhnavies for this Month		—	216 0 0	
" Sept.	Ditto ditto ditto		—	216 0 0	
" October.	Ditto ditto ditto		—	216 0 0	
" Nov.	Ditto ditto ditto		—	216 0 0	
" Dec.	Ditto ditto ditto		—	216 0 0	
" 1779.					
" January.	Ditto ditto ditto		—	216 0 0	
" February.	Ditto ditto ditto		—	216 0 0	
" March.	Ditto ditto ditto		—	216 0 0	
" April.	Ditto ditto ditto		—	216 0 0	
" May.	Ditto ditto ditto		—	216 0 0	
" June.	Ditto ditto ditto		—	216 0 0	
" July.	Ditto ditto ditto		—	216 0 0	
" Auguſt.	Ditto ditto ditto		—	216 0 0	
" Sept.	Ditto ditto ditto		—	216 0 0	
" October.	Ditto ditto ditto		216 0 0		
	" Mowlavee Mudged O'Dien, for this Month,				
	" Houſe Rent 100				
	" Charges 300				
	— Ars. 400 or		432 0 0		
				648 0 0	

" 1779.											
" Nov.	Paid Muſtapha Alley Cuſhnavies for this Month							200	0	0	
	" Mowlavee Mudged O'Dien for Houſe Rent for ditto — — — —							100	0	0	
							Ars.	300	0	0	or 324 0 0
" Dec.	Muſtapha Alley Cuſhnavies for this Month —							216	0	0	
	" Mowlavee Mudged O'Dien, his Wages for October and November laſt					600	0	0			
	Allowance of Scholars					400	0	0			
	Houſe Rent —					200	0	0			
						1,200	0	0			
	Deduct advanced him —					500	0	0			
					Ars.	700	0	0	or	756	0 0
											972 0 0
" 1780.											
" January.	Muſtapha Alley Cuſhnavies, for this Month							216	0	0	
	" Mowlavee Mudged O'Dien, his Wages for December and January —					600	0	0			
	" Allowance of Scholars					400	0	0			
	" Houſe Rent —					200	0	0			
					Ars.	1,200	0	0	or	1,296	0 0
											512 0
" Feb.	Muſtapha Alley Cuſhnavies for this Month							216	0	0	
	" Mowlavee Mudged O'Dien, his Wages for this Month — —					300	0	0			
	" Allowance of Scholars					200	0	0			
	" Houſe Rent —					100	0	0			
						600	0	0	or	648	0 0
											864 0
" March.	Muſtapha Alley Cuſhnavies for this Month							216	0	0	
	" Mowlavee Mudged O'Dien for this Month, Wages — Ars.					300	0	0			
	" Allowance of Scholars					200	0	0			
	" Houſe Rent —					100	0	0			
						600	0	0	or	648	0 0
											864 0 0
" April.	Ditto	ditto	ditto	for this Month				—			864 0 0
" May.	Ditto	ditto	ditto	ditto	—			—			864 0 0
" June.	Ditto	ditto	ditto	ditto	—			—			864 0 0
" July:	Ditto	ditto	ditto	ditto	—			—			864 0 0
" Auguſt.	Ditto	ditto	ditto	ditto	—			—			864 0 0
" Sept.	Ditto	ditto	ditto	ditto	—			—			864 0 0
" October.	Ditto	ditto	ditto	ditto	—			—			864 0 0
" Nov.	Ditto	ditto	ditto	ditto	—			—			864 0 0
" Dec.	Ditto	ditto	ditto	ditto	—			—			864 0 0
											76,500 4 3
" 1781.											
" January.	Muſtapha Alley Cuſhnavies for this Month —							216	0	0	
	" Mowlavee Mudged Dien for this Month, his Wages — Ar.					300	0	0			
	" Allowance of Scholars					200	0	0			
	" Houſe Rent —					100	0	0			
						600	0	0	or	648	0 0
											864 0 0

" 1781.						
" Feb.	Paid Muſtapha Alley Cuſhnavies for this Month					864 0 0
" March.	Ditto	ditto	ditto	ditto		864 0 0
" April.	Ditto	ditto	ditto	ditto		864 0 0
" May.	Ditto	ditto	ditto	ditto	864 0 0	
	" Mowlavey Mudged O'Dien for keeping another School for 25 Days, at 470 per Month			391 10 9		
	" Houſe Rent *a* 51 : 8 per Month			42 14 9		
				434 9 6		
			" Batta 8 per Cent.	34 12 3		
					469 5 9	
	" Given to Mowlavies Eſſop and Muſruf 2 Khillats, containing 4 P^{s}		—	375 0 0	or 405 0 0	
						1,738 5 9
" June.	Muſtapha Alley Cuſhnavies for this Month				216 0 0	
	" Mowlavee Mudged O'Dien for keeping a School			200 0 0		
	" Wages —			300 0 0		
	" Houſe Rent			100 0 0		
				600 0 0		
	" Ditto for keeping another School			470 0 0		
	" Houſe Rent			51 8 0		
				521 8 0		
				1,121 8 0	or 1,211 3 6	
						1,427 3 6
	" Muſtapha Alley Cuſhnavies for the Month				216 0 0	
	" Mowlavee Mudged O'Dien for keeping a School			200 0 0		
	" Wages —			300 0 0		
	" Houſe Rent			100 0 0		
				600 0 0		
	" Ditto for keeping another School			470 0		
	" Houſe Rent			51 8		
				521 8 0		
				1,121 8 0	or 1,211 3 6	
						1,427 3 6
" Auguſt.	Ditto	ditto	ditto	—	—	1,427 3 6
" Sept.	Ditto	ditto	ditto	—	—	1,427 3 6
" October.	Ditto	ditto	ditto	—	—	1,427 3 6
" Nov.	Ditto	ditto	ditto	—	—	1,427 3 6
" Dec.	Ditto	ditto	ditto	—	—	1,427 3 6
" 1782.						
" January.	Ditto	ditto	ditto	—	—	1,427 3 6
" February.	Ditto	ditto	ditto	—	—	1,427 3 6
" March.	Ditto	ditto	ditto	—	—	1,427 3 6
" April.	Ditto	ditto	ditto	—	—	1,427 3 6
" May.	Ditto	ditto	ditto	—	—	1,427 3 6
" June.	Ditto	ditto	ditto	—	—	1,427 3 6
" July.	Ditto	ditto	ditto	—	—	1,427 3 6

" 1782.					
" July.	Paid Mowlovey Mudged O'Din for keeping a School	200 o			
	" Wages	300 o			
	" Houſe Rent	100 o			
			600 o		
	" Do. do. for keeping another School	470 o			
	" Houſe Rent	51 8			
			521 8		
				1,121 8 or 1,211 3 6	
	" Making new Straw Cook Rooms and neceſſary Houſes at Madriſſa for Mowlavey Mudged O'Din and the Scholars		Arſ. 150 or	162 o o	
	" Muſtapha Alley Cuſhnavies for this Month			216 o o	
					1,589 3
" Auguſt.	Mowlavey Mudged O'Din, for keeping a School	200 o			
	" Wages —	300 o			
	" Houſe Rent	100 o			
			600 o		
	" D. do. for keeping another School	470 o			
	" Houſe Rent	51 8			
			521 8		
				1,121 8 or 1,211 3 6	
	" Muſtapha Alley Cuſhnavies for this Month			216 o o	
					1,427 3 6
" Sept.	Muſtapha Alley Cuſhnavies for this Month			—	216 o o
" October.	To Moolavey Mudged O'Din, for keeping a School and Houſe Rent for laſt Month			1,211 3 6	
	" Muſtapha Alley Cuſhnavies for this Month			216 o o	
					1,427 3 6
" Nov.	Muſtapha Alley Cuſhnavies for this Month			—	216 o o
" Dec.	Ditto	ditto	ditto	—	216 o o
" 1783.					
" January.	Ditto	ditto	ditto	—	216 o o
" February.	Ditto	ditto	ditto	—	216 o o
" March.	Ditto	ditto	ditto	—	216 o o
" April.	Ditto	ditto	ditto	216 o o	
	" A Dorogah's Wages for 7 Months at 50 Sa Rs per Month for ſuperintending the Building		—	406 o o	
					622 o o
" May.	To Muſtapha Alley Cuſhnavies for this Month			—	216 o o
" June.	Ditto	ditto	ditto	216 o o	
	" To a Bengal Moonſhey for this Month Sa Rs		or	69 9 6	
					285 9 6
" July.	To Muſtapha Ally Cuſhnavies for this Month			216 o o	
	" To a Bengal Moonſhey for this Month Sa Rs 60 o o		or	69 9 6	
					285 9 6

" 1783.								
" Auguſt.	Paid to a Bengal Moonſhey for this Month,			—			285	9 6
" Sept.	Ditto	ditto	ditto	—	285	9 6		
	Bengal Paper and Ink for the Moonſhey				2	5 0		
							287	14 6
" October.	Muſtapha Alley Cuſhnavies for this Month				216	0 0		
	" A Bengal Moonſhey	ditto		—	69	9 6		
							285	9 6
" Novem.	Ditto	ditto	ditto	—			285	9 6
" Decem.	Ditto	ditto	ditto	—			285	9 6
							108,827	9 6
" Deduct.								
" 1782.								
" Auguſt.	Received from the Khalſah Treaſury for the Allowance of the Mowlovies, &c. of the Madriſſa, from 1ſt May 1781, to 31ſt Auguſt 1782			—	20,258	10 3		
" Decem.	Ditto ditto for October 1782			—	1,211	3 6		
							21,469	13 9
					Current Rupies		87,357	11 9

" Fort William,
the 31ſt December 1783.

" Errors excepted,
" Wm Larkins, Acting Atty for the
Honble Warren Haſtings."

" DUPLICATE.

" An Account of Sums diſburſed by the Governor for the Salary of Lieutenant Colonel Gilbert Ironſide, during the Period in which he acted as Military Secretary.

" 1773.								
" Jan. 15.	Paid his Salary from April to December 1772, Sas 4,950, or						5,494	8 0
" Feb. 28.	Do.	do.	—	—	for January 1773		619	6 0
" March 30.	Do.	do.	—	—	for February		559	7 0
" April 30.	Do.	do.	—	—	for March		619	6 0
" May 31.	Do.	do.	—	—	for April	540		
	Do.	do.	—	—	for May	558		
						1,098		
					" Batta 11 per Cent.	120		
							1,218	12 6
					" Current Rupees		8,511	7 6

" Fort William,
" the 31ſt December 1783.

Errors excepted,
Wm Larkins, acting Attorney for the
Honble. Warren Haſtings."

" DUPLICATE.

" An Account of Charges diſburſed in the Office of the Governor General, from 1ſt September 1772, to 1ſt January 1784.

" 1773.								
	" Paid Mr. Henry Griffith his Allowance from 1ſt September 1772, to the 30th June 1773, is 10 Months, at A. R. 150 per Month, is Arcot Rs 1500	—	—	—	—		1,620	0 0
" Jan.	2 Duftories from 19th to 31ſt Dec. 1772, at 6, 14 6 6, or				—		15	9 0

" 1773.											
" April.	Bookbinders Attendance	—	—	—						2	2	6
" June.	Do. do. do.	—	—	—						14	6	8
	" Paid Mr. Henry Griffith his Allowance from 30th June to 31 Dec. 1773, is 6 Months, at 150 A. R^{s} per Month, is A. Rupees 900, or	—	—	—	—					972	0	0
" 1774.											
" Feb.	Mr. Bird, his Allowance from 1ſt October 1773, to the 1ſt of February 1774, is 4 Months, at 250 A. R^{s} per Month, A. R^{s} 1000, or	—	—	—						1,080	0	0
	" 1 Duſtories Wages for January and February 1774				—					10	12	9
" March.	1 Do.	—	—	—	5	0	0					
	" 4 Do. — for 15 Days			—	14	0	0					
				A. R^{s}.	19	or				20	8	3
" April.	1 Do.	—	—	—	5	0	0					
	" 1 Do. from 17th January to 30th April is 3 M^{o} 13 D.				13	12	0					
	" 2 Do.	—	—	—	14	0	0					
	" 1 Do. for 10 Days	—	—		2	5	3					
	" 1 Do. for 6 Days	—	—		1	6	6					
				A. R^{s}	36	7	9	or	39	6	6	
" May.	6 Duſtories for this Month	—		A. R^{s}	33	8	0	or	36	2	9	
	" Paid Mr. Bird his Allowance from 1ſt February to 1ſt June 1774, is 4 Months, at 250 A. R^{s} per Month, is	—	1000	0	0							
	" Paid Mr. Henry Griffith his Allowance from the 31ſt Dec. to the 30th June, 1774, is ſix Months at A. R^{s} 150 per Month, is		900	0	0							
		A. R^{s}	1900	0	0	or	2,052	0	0			
	" 6 Duſtories for this Month		32	6	6	or	35	0	0			
										2,087	0	0
" July.	Bookbinders to bind Books	—			17	6	3					
	" 5 Duſtories for this Month	A. R^{s}	28	0	0	or	30	3	9			
										47	10	0
" Auguſt.	Paid Mr. Henry Griffith his Allowance for July 1774 —	A. R^{s}	150			or	162	0	0			
	" 5 Duſtories for this Month		34			or	36	11	6			
										198	11	6
" Sept.	5 Do. do. —	—	A. R^{s}	30	15	6	or	33	7	3		
" Oct.	Paid Mr. Henry Griffith his Allowance for Auguſt, September, and October 1774, at A. R^{s} 150 per Month, is	A. R^{s}	450,	or	486	0	0					
	" Do. Mr. Bird's from 1ſt June to 31ſt October, is 5 Months, at 250 per Month, is 1,250, or		1,350	0	0							
							1,836	0	0			
	" 5 Duſtories for this Month	A. R^{s}	34,	or			36	11	6			
										1,872	11	6
" Nov.	Do. Mr. P. Laforte, his Allowance for this Month, S^{a} R^{s} 140, or	—	—				162	6	6			
	" 5 Duſtories, A. R^{s} 41, or	—	—				44	4	6			
										206	11	0

" 1774.								
" Dec.	Paid Mr. Laforte his Allowance for this Month, Curr^{t} R^{s}				162	6	6	
	" 5 Duftories — — A. R^{s}	41, or			44	4	6	
					206	11	0	
	" Do. Mr. Henry Griffith his Allowance for November and December 1774 — — C. R^{s}				324	0	0	
								530 11 0
" 1775.								
" Jan.	Do. P. Laforte his Allowance for this Month —				162	6	6	
	" Do. Mr. Henry Griffith's Allowance —				162	0	0	
" Feb.	Do. Mr. W. H. Bird's Allowance for November and December 1774, at 250 per Month, A. R^{s}	500, or			540	0	0	
	" 5 Duftories for this Month —	41, or			44	4	6	
								908 11 0
	" Do. P. Laforte's Allowance for this Month —				162	6	6	
	" 6 Duftories — — —				44	4	6	
								206 11 0
	" Do. Mr. Bird's Allowance from 1ft January to 1ft April 1775, is 3 Months A. R^{s}	750	0	0				
	" Advanced Do. for April and May	500	0	0				
	A. R^{s}	1,250	0	0 or	1,350	0	0	
" March.	P. Laforte for this Month —				162	6	6	
	" 6 Duftories — —	41	0	0				
	" Bookbinders — —	1	1	3				
		42	1	3 or	4	5	7	
								1,557 13 6
" April.	Paid Mr. Henry Griffith his Allowance for February and March — —				324	0	0	
	" Do. P. Laforte for this Month — —				162	6	6	
	" Bookbinders Work —	0	7	0				
		41	0	0				
		41	7	0 or	44	12	0	
								531 2 6
" May.	Paid P. Laforte his Allowance for this Month				162	6	6	
	" Do. Henry Griffith; Do. for April and May				324	0	0	
	" W. H. Bird as an Advance of his Allowance for June, July, and Auguft 1775, at Arcot Rupees 250 per Month	750	0	0 or	810	0	0	
	" 6 Duftories for this Month	41	0	0	44	4	6	
								1,340 11 0
" June.	P. Laforte his Allowance for this Month —				162	6	6	
	" Henry Ryean's Salary from 15th April to the 31ft May 1775, at 200 S^{a} R^{s} per Month, is 300, or — —				348	0	0	
	" Thomas P. Broughton's Allowance from January to May 1775, at 100 S^{as}, is 500				580	0	0	
	" Henry Griffith's Allowance for this Month				162	0	0	
	" 6 Duftories for this M^{o} A. R^{s}	41	0	0				
	" Binding three Books —	4	5	0				
		45	5	0 or	48	15	0	
								1,301 5 6

" 1775.								
" July.	Paid P. Laferte his Allowance for this Month					162	6	6
	" Henry Ryean's Allowance for June			—		232	0	0
	" Thoª P. Broughton's	is		—		116	0	0
	" Bookbinder	—	—	1	1 3			
	" 6 Duftories for this Month			41	0 0			
			A. Rˢ	42	1 3	or 45	7	0
								555 13 6
" Auguſt.	Paid P. Laferte his Allowance for this Month					162	6	6
	" Henry Griffith's ditto for July					162	0	0
	" Henry Ryean's	is				232	0	0
	" Binding 3 Books	—		4	10 0			
	" 6 Duftories for this Month			41	0 0			
			" A. Rˢ	45	10 0	or 48	15	6
								605 6 0
" Sept.	Paid P. Laferte his Allowance for this Month					162	6	6
	" Henry Ryean's ditto for Auguſt			—		232	0	0
	" Henry Griffith's Allowance for ditto			—		162	0	0
	" 6 Duftories for this Month	A. Rˢ	41	0	0	or 44	4	6
								600 11 0
" Oct.	Paid P. Laferte's Allowance for this Month			—		162	6	6
	" Henry Ryean's ditto for September			—		232	0	0
	" B. Rodrigue's ditto from July 1772 to March 1773, is 9 Months a 300 Sªs per Mº							
				2,700	0 0	or 3,132	0	0
	" 6 Duftories for this Month	A. Rˢ	41	0	0	or 44	4	6
								3,570 11 0
" Nov.	Paid Henry Ryean's Allowance for October and November		—	—	—	464	0	0
	" Mr. Bird's ditto from September to December, 4 Months at 250 per Month							
			" A. Rˢ	1,000	0 0	or 1,080	0	0
	" Mr. Thoˢ Elwoods his Salary for October					174	0	0
	" P. Laferte his Allowance for this Mº			—		162	6	6
	" 6 Duftories for this Month			41	0 0			
	" Bookbinder and Silk			0	5 6			
			A. Rˢ	41	5 6	or 44	10	6
								1,925 1 0
" Dec.	Paid Henry Ryean's Salary for this Month			—		232	0	0
	" Mr. Thoˢ Elwood's ditto for November					174	0	0
	" P. Laferte	ditto for this Month				162	6	6
	" 6 Duftories	—		41	0 0			
	" Bookbinder's Work and Gold Thread, &c	—	—	3	2 0			
			A. Rˢ	44	2 0	or 47	10	6
								616 1 0
" 1776.								
" January.	Paid Henry Ryean's Salary for this Month					232	0	0
	" T. M. Elwood's do. for December			—		174	0	0
	" P. Laferte do. for this Month	—	—			162	6	6
	" 5 Duftories do. do. A. Rˢ	or		—		38	14	0
								607 4 6

" 1776.										
" February.	Paid Henry Ryean's Salary for this Month									
	Sa Rupees	200	0	0	or	232	0	0		
	" Bryan Glover's Salary from November 1774 to February 1776, being 15 Months at 500 A. Rs per Month, is A. Ra	7,500	0	0						
	Batta 8 per Cent.	600	0	0						
						8,100	0	0		
	" Henry Griffith's Salary from September 1775 to February 1776, is 6 Months, at 150 per Month A. Rs	900	0	0	or	972	0	0		
	" Peter Laferte his Allowance for this Month					162	6	6		
	" 5 Duftories for this Month, A. Rs	36	0	0						
	" Bookbinders Work —	3	0	0						
	" A. Rs	39	0	0	or	42	2	0		
									9,508	8 6
	" Paid Mr. W. H. Bird his Allowance for January and February — — —					540	0	0		
	" Henry Griffith's Salary for this Month					162	0	0		
	" Henry Ryean's ditto — —					232	0	0		
	" Peter Laferte his Allowance — —					162	6	6		
	" 5 Duftories for this Month	36	0	0						
	" Silk — —	0	3	6						
		36	3	6	or	39	1	9		
									1,135	8 3
" April.	Paid Henry Ryean's Allowance for this Month					232	0	0		
	" Henry Griffith's — — —					162	0	0		
	" Bryan Glover's Allowance for February and March 1776 — — —					1,080	0	0		
	" 5 Duftories for this Month, A. Rs	36	0	0	or	38	14	0		
	" T. M. Elwood's Allowance for January, February, and March Sa Rups	450	0	0	or	522	0	0		
	" Peter Laferte his Allowance for this Month					162	6	6		
									2,197	4 6
" May.	Paid Henry Ryean's ditto — —					232	0	0		
	" Mr. Bird's Allowance for March and April, at 250 A. Rs per Month — — —					540	0	0		
	" Mr. Glover's Allowance for April and May, at 500 A. Rs per Month — —					1,080	0	0		
	" T. M. Elwood's Allowance for April					174	0	0		
	" B. Rodrigues his Allowance from 26th March to the 31st May 1776, is 2 Months 4 Days, a 200 per Month Sa Rs	426	10	8	or	494	15	0		
	" P Laferte his Allowance for this Month					162	6	6		
	" 5 Duftories for this Month, A. Rs	36	0	0	or	38	14	0		
									2,722	3 6
" June.	Paid Henry Ryean's Allowance for this Month					232	0	0		
	" Henry Griffith's for May — — —					162	0	0		
	" T. M. Elwood's — — —					174	0	0		
	" P. Laferte's for this Month — —					162	6	6		
	" Binding 2 Books A. Rs	2	7	8						
	" 4 Duftories for this Month	29	0	0						
		31	7	8	or	33	15	9		
									764	6 3

" 1776.							
" July.	Paid Henry Ryean's Allowance for this Month —				232	0	0
	" R. Rodrigues's Allowance for June —				232	0	0
	" Mr. Bird's ditto for May and June a 250 per Month — — —				540	0	0
	" Henry Griffith's Allowance for June —				162	0	0
	" T. M. Elwood's — — —				174	0	0
	" Peter Laferte's for this Month — —				162	6	6
	" Bookbinder's Work and Leather	1	2	0			
	" 4 Duftories for this Month	29	0	0			
	A. R^{s}	30	2	0	or 32	8	6
							1,534 15 0
" Auguſt.	Paid Henry Ryean's Allowance for this Month				232	0	0
	" D^{o} Henry Griffiths for July — —				162	0	0
	" B. Rodrigues — — —				232	0	0
	" W. H. Bird's for July and Auguſt —				540	0	0
	" T. M. Elwood's for July — —				174	0	0
	" Bryan Glover's from June to Auguſt a 500 per Month A. R^{s}	1,500	0	0	or 1,620	0	0
	" Peter Laferte his Allowance for this Month				162	6	6
	" 4 Duftories Wages for this Month	29	0	0	or 31	5	0
							3,153 11 6
" Sept.	Paid Henry Ryean's Allowance for this Month				232	0	0
	" B. Rodrigue's Allowance for Auguſt				232	0	0
	" T. M. Elwood's — — —				174	0	0
	" Henry Griffith's for Auguſt and September, at 150 per Month A. R^{o}	300	0	0	or 324	0	0
	" P. Laferte his Allowance for this Month				162	6	6
	" Binding a Book —	1	10	0			
	" Cotton, &c. for ſending Europe Packet — —	3	10	0			
	" 4 Duftories Wages for this Month	29	0	0			
	A. R^{s}	34	4	0	or 36	15	9
							1,161 6 3
" Oct.	Paid Henry Ryean's Salary for this Month —				232	0	0
	" B. Glover's for September — —				540	0	0
	" T. M. Elwood's for ditto — —				174	0	0
	" B. Rodrigue's for ditto — —				232	0	0
	" Peter Laferte for this Month — —				162	6	6
	" Binding a Book —	1	12	0			
	" 4 Duftories Wages for this Month	29	0	0			
	A. R^{s}	30	12	0	or 33	3	6
							1,373 10 0
" Nov.	Paid B. Glover's Salary for October —				540	0	0
	" T. M. Elwood's for ditto — —				174	0	0
	" Wm. H. Bird's for September and October				540	0	0
	" Henry Ryean's for this Month —				232	0	0
	" B. Rodrigue's for October —				232	0	0
	" Peter Laferte for this Month — —				162	6	6
	" Gurrah and Cotton to pack the Letters — —	3	0	0			
	" 4 Duftories Wages for this Month	29	0	0			
	A. R^{s}	32	0	0	or 34	9	0
							1,914 15 6

" 1776.							
" Dec.	Paid B. Glover's Allowance for November and December — — —				1,080	0	0
	" T. M. Elwood's Allowance for November				174	0	0
	" Henry Ryean's for this Month —				232	0	0
	" B. Rodrigue's for November — —				232	0	0
	" H. Griffith's for October and November				324	0	0
	" Peter Laferte's Allowance for this Month				162	6	6
	" 4 Duftories Wages for this Month A. R^{s} 29	0	0	or 31	5	0	
							2,235 11 6
" 1777.							
" Jan.	Paid W. H. Bird's Allowance for November and December — — —				540	0	0
	" Henry Ryean's Allowance for this Month				232	0	0
	" T. M. Elwood's for December —				174	0	0
	" B. Rodrigue's for ditto — —				232	0	0
	" Peter Laferte's for ditto — —				162	6	6
	" Duftories Wages for this Month A. R^{s} 29	0	0	or 31	5	0	
							1,371 11 6
" Feb.	Paid Henry Ryean's Allowance for this Month				232	0	0
	" B. Glover's for January — —				540	0	0
	" T. M. Elwood's for ditto — —				174	0	0
	" B. Rodrigues for ditto — —				232	0	0
	" P. Laferte's for this Month — —				162	6	6
	" Samuel Hick his Allowance from 15th November 1776, to 31ſt January 1777, is 2 M^{o} 15 D. at 101 S^{a} Rupees per Month —				290	0	0
	" 4 Duftories Wages for this Month A. R^{s} 29	0	0	or 31	5	0	
							1,661 11 6
" March.	Paid Henry Ryean's Salary for this Month —				232	0	0
	" Wm H. Bird's for January and February —				540	0	0
	" B. Glover's for February and March —				1,080	0	0
	" T. M. Elwood's for February —				174	0	0
	" B. Rodrigue's for ditto — —				232	0	0
	" P. Laferte for March — —				162	6	6
	" A Ream of large Poſt —	14	0	0			
	" Green Cloth, &c. to cover a Deſk	7	8	6			
	" 8 Pen Knives — —	16	0	0			
	" Gold Thread to bind ſome Papers	1	0	0			
		38	8	6			
	" 4 Duftories Wages for this Month	29	0	0			
	A. R^{s}	67	8	6	or 72	15	0
							2,493 5 6
" April.	Paid Henry Ryean's Allowance for this Month —				232	0	0
	" B. Glover's ditto ditto —				540	0	0
	" T. M. Elwood's ditto for March —				174	0	0
	" B. Rodrigue's ditto ditto —				232	6	6
	" P. Laferte's ditto for this Month —				162	6	6
	" Cotton, &c. for the Packet	6	2	0			
	" Gold Thread for binding Books	2	0	0			
	" Silk ditto —	0	2	0			
	" Bookbinders Work —	6	14	0			
	" Sand — —	1	4	0			
	" Curwah for covering the Books	3	0	0			
	" Iron File, and mending a Lanthorn	1	0	0			
	" 4 Duftories Wages for this Month	29	2	0			
	A. R^{s}	49	6	0	or 53	5	3
							1,393 11 9

" 1777.								
" May.	Paid Henry Ryean's Allowance for this Month	—			232	0	0	
	" Wm H. Bird's for March and April	—			540	0	0	
	" T. M. Elwood's for April	—	—		174	0	0	
	" B. Rodrigue's for April and May		—		464	0	0	
	" P. Laferte's for this Month	—	—		232	0	0	
	" 4 Duftories Wages ditto A. Rs	29	0	0 or	31	5	0	
								1,673 5 0
" June.	Paid Henry Ryean's Allowance for this Month				232	0	0	
	" B. Glover's for May and June		—		1,080	0	0	
	" T. M. Elwood's for May	—	—		174	0	0	
	" B. Rodrigues for June	—	—		232	0	0	
	" Peter Laferte's ditto	—	—		232	0	0	
	" Bookbinder's Work	—	0	8 0				
	" Silk	— —	0	2 0				
	" 4 Seers of Sand	—	3	12 0				
	" Wax Cloth for dispatching Packet		5	3 0				
	" 4 Duftories Wages for this Month		29	0 0				
	A. Rs		38	9 0 or	41	10	3	
								1,991 10 3
" July.	Paid Henry Ryean's Allowance for this Month				232	0	0	
	" T. M. Elwood's for June	—	—		174	0	0	
	" B. Rodrigue's for this Month		—		232	0	0	
	" Peter Laferte's ditto		—		232	0	0	
	" Cotton to pack up the Letters		1	1 3				
	" 1 Dozen of Ink Powder	—	6	0 0				
	" 4 Duftories Wages for this Month		29	0 0				
	A. Rs		36	1 3 or	38	13	3	
								908 13 3
" Aug.	Paid T. M. Elwood's Allowance for July	—			174	0	0	
	" B. Glover's for July and Auguſt	—			1,080	0	0	
	" B. Rodrigue's for this Month		—		232	0	0	
	" Peter Laferte ditto		—		232	0	0	
	" 4 Duftories Wages ditto A. Rs	29	0	0 or	31	5	0	
								1,749 5 0
" Sept.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for Auguſt	—			174	0	0	
	" P. Laferte's for this Month	—			232	0	0	
	" Mr. Touchet for 25 Reams of large Poſt as per Bill — A. Rs		625	0 0				
	" 1 Tolah of Silk —		0	2 0				
	" 1½ Cubicts of Gurrah for Packet		0	3 3				
	" 4 Duftories Wages for this Month — —		29	0 0				
			654	5 3 or	706	10	9	
								1,652 10 9
" Oct.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for September	—			174	0	0	
	" P. Laferte's for this Month	—			232	0	0	
	4 Duftories Wages ditto A. Rs	29	0	0 or	31	5	0	
								977 5 0
" Nov.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's ditto for October	—			174	0	0	
	" Peter Laferte's for this Month	—			232	0	0	
	" 4 Duftories Wages A. Rs	29	0	0 or	31	5	0	
								977 5 0

" 1777.								
" Dec.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for November	—			174	0	0	
	" Peter Laferte's for this Month	—			232	0	0	
	" 4 Duftories Wages	A. R$	29	0 0 or	31	5	0	
								977 5 0
" 1778.								
" Jan.	Paid Mr. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for December	—			174	0	0	
	" Peter Laferte's for this Month	—			232	0	0	
	" 4 Duftories Wages ditto	A. R$	29	0 0 or	31	5	0	
								977 5 0
" Feb.	Paid Mr. B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for January	—			174	0	0	
	" Peter Laferte's for this Month	—			232	0	0	
	" 4 Duftories Wages ditto	A. R$	29	0 0 or	31	5	0	
								977 5 0
" March.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for February	—			174	0	0	
	" Peter Laferte's for this Month	—			232	0	0	
	" 4 Duftories Wages	A. R$	29	0 0 or	31	5	0	
								977 5 0
" April.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for March	—			174	0	0	
	" Peter Laferte's for this Month	—			232	0	0	
	" Glue and Silk	—	0	9 0				
	" 4 Duftories Wages for this Month		29	0 0				
		A. R$	29	9 0 or	31	14	9	
								977 14 9
" May.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for April	—			174	0	0	
	" B. Rodrigue's for ditto	—			232	0	0	
	" Peter Laferte's for this Month	—			232	0	0	
	" 4 Duftories Wages	—	A. R$		34	9	0	
								1,212 9 0
" June.	Paid B. Glover's Allowance for this Month				540	0	0	
	" T. M. Elwood's for May	—			174	0	0	
	" B. Rodrigue's ditto	—			232	0	0	
	" Peter Laferte for this Month	—			232	0	0	
	" Wax Cloth Gurrahs, &c.		2	12 3				
	" 5 Duftories Wages for this Month		39	0 0				
		A. R$	41	12 3 or	45	1	9	
								1,223 1 9
" July.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for June	—			174	0	0	
	" B. Rodrigue's ditto	—	—		232	0	0	
	" P. Laferte's for this Month	—			232	0	0	
	" 5 Duftories Wages	A. R$	39	0 0 or	42	2	0	
								1,220 2 0
" Aug.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for July	—			174	0	0	
	" B. Rodrigue's ditto	—	—		232	0	0	
	" P. Laferte's for this Month	—			232	0	0	
	" 5 Duftories Wages	A. R$	39	0 0 or	42	2	0	
								1,220 2 0

" 1778.								
" Sept.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for Auguſt	—	—		174	0	0	
	" B. Rodrigue's ditto	—	—		232	0	0	
	" Peter Laferte's for this Month	—	—		232	0	0	
	" 5 Duftories Wages do.	—	39 A. R^s	or	42	2	0	
								1,220 2 0
" Oct.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for September	—	—		174	0	0	
	" B. Rodrigue's ditto	—	—		232	0	0	
	" Peter Laferte's for this Month		—		232	0	0	
	" 1 Tolah of Gold Thread and 3 Tolahs of Silk	—	A. R^s 2 4 0					
	" 5 Duftories Wages for this Month		39 0 0					
			41 4 0	or	44	8	9	
								1,222 8 9
" Nov.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for October	—	—		174	0	0	
	" B. Rodrigue's do.	—	—	—	232	0	0	
	" P. Laferte's for this Month	—	—		232	0	0	
	" Silk and Gold Thread	—	A. R^s 2 2 6					
	" 5 Duftories Wages for this Month		39 0 0	or	42	2	0	
					44	4	6	
								1,222 4 6
" Dec.	Paid Mr. B. Glover's Allowance for this Month	—			540	0	0	
	" T. M. Elwood's for November	—			174	0	0	
	" B. Rodrigue's for November and December	—			464	0	0	
	" P. Laferte's for this Month	—			232	0	0	
	" 1 Tolah of Gold Thread	—	1 14 0					
	" 5 Duftories Wages for this Month		39 0 0					
			40 14 0	or	44	2	6	
								1,454 2 6
" 1779.								
" Jan.	Paid Mr. Glover's Allowance for this Month	—			540	0	0	
	" Peter Laferte's do.	—	—	—	232	0	0	
	" 5 Duftories Wages do.		A. R^s 39 0 0	or	42	2	2	
								814 2 0
" Feb.	Paid B. Glover's Allowance for this Month	—			540	0	0	
	" Peter Laferte's do.	—	—		232	0	0	
	" B. Rodrigue's for January and February		—		464	0	0	
	" Gold Thread and Silk	—	2 2 0					
	" Mending a Key	—	—	0 5 0				
	" 5 Duftories Wages for this Month		39 0 0					
			A. R^s 41 7 0	or	44	12	0	
								1,280 12 0
" March.	Paid Mr. B. Glover's Allowance for this Month	—			540	0	0	
	" Peter Laferte's do.	—	—		232	0	0	
	" Gold Thread and Silk	—	2 2 0					
	" 5 Duftories Wages for this Month		39 0 0					
			A. R^s 41 2 0	or	44	6	9	
								816 6 9

" 1779.									
" April.	Paid Mr. B. Glover's Allowance for this Month —					540	0	0	
	" Peter Laferte's do. — — —					232	0	0	
	" B. Rodrigue's for March and April —					464	0	0	
	" Silk and Cotton —			0	4	0			
	" 5 Duftories Wages for this Month		39	0	0				
			39	4	0	or 42	6	3	
									1,278 6 3
" May.	Paid Mr. B. Glover's Allowance for this Month —					540	0	0	
	" Peter Laferte's do. — —					232	0	0	
	" B. Rodrigue's do. — —					232	0	0	
	" Duftories Wages — A. R^{s}		24	4	0	or 26	3	0	
									1,030 3 0
" June.	Paid Peter Laferte's Allowance for this Month —					232	0	0	
	" B. Rodrigue's do. — — —					232	0	0	
	" Silk — —			0	6	0			
	" 5 Duftories Wages —		39	14	0				
			40	4	0	or 43	7	6	
									507 7 6
" July.	Paid Laferte's Allowance for this Month —					232	0	0	
	" B. Rodrigue's do. — —					232	0	0	
	" Wax Cloth for a Paper Box —			1	0	0			
	" Silk — — —			0	4	0			
	" 1 Key for an Almeirn —			0	10	0			
	" Leather for a Book Cover —			0	9	0			
	" 5 Duftories Wages for this Month		38	0	0				
		A. R^{s}	40	7	0	or 43	10	9	
									507 10 9
" Aug.	Paid Mr. B. Glover's Allowance for July and Auguſt					1,080	0	0	
	" Peter Laferte's for this Month — —					232	0	0	
	" B. Rodrigue's do. — — —					232	0	0	
	" 5 Duftories Wages do. A. R^{s}		38	0	0	or 41	9	0	
									1,585 0 0
" Sept.	Paid Peter Laferte's Allowance for this Month —					232	0	0	
	" B. Rodrigue's do. — —					232	0	0	
	" Silk — — —			0	8	0			
	" 5 Duftories Wages for this Month		38	0	0				
			38	8	0	or 41	9	3	
									505 9 3
" Oct.	Paid Mr. B. Glover's Allowance for September and October — — —					1080	0	0	
	" P. Laferte's for this Month — —					232	0	0	
	" B. Rodrigue's do. — — —					232	0	0	
	" 5 Duftories Wages do. — A. R^{s}		38	0	0	or 41	9	0	
									1,585 0 9
" Nov.	Paid Mr. B. Glover's Allowance for this Month —					540	0	0	
	" Peter Laferte's for this Month — —					232	0	0	
	" B. Rodrigue's do. — —					232	0	0	
	" Mending a Paper Cafe —			0	9	0			
	" Silk — — —			0	4	0			
	" 5 Duftories Wages for this Month		38	0	0				
			38	13	0	or 41	14	9	
									1,045 14 9

" 1779.										
" Dec.	Paid P. Laferte's Allowance for this Month	—					232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" 5 Duftories Wages do.	A. R^s	34	8	0	or	37	4	3	
										501 4 3
" 1780.										
" Jan.	Paid P. Laferte's Allowance for this Month	—					232	0	0	
	" B. Rodrigue's	—	—	—	—		232	0	0	
	" Rattaining 2 Chairs	A. R^s.	0	10	0					
	" 5 Duftories Wages	—	35	14	6					
		A. R^s	36	8	6	or	39	7	3	
										503 7 3
" Feb.	Paid Laferte's Allowance for this Month	—					232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" Silk	—	—	0	8	0				
	" 5 Duftories Wages	—	38	0	0					
			38	8	0	or	41	9	3	
										505 9 3
" March.	Paid P. Laferte's Allowance for this Month	—					232	0	0	
	" B. Rodrigue's do.	—	—	—			232	0	0	
	" Silk	—	—	0	2	0				
	" 5 Duftories Wages	—	38	0	0					
		A. R^s	38	2	0	or	41	2	9	
										505 2 9
" April.	Paid P. Laferte's Allowance for this Month	—					232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" Silk	—	—	0	2	0				
	" 5 Duftories Wages	—	38	0	0					
		A. R^s	38	2	0	or	41	2	9	
										505 2 9
" May.	Paid Mr. B. Glover's Allowance from November 1779 to March 1780, is 5 Months, at 500 per Month	—	A. R^s	2,500		or	2,700	0	0	
	" P. Laferte's Allowance for this Month						232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" Guzzy and Gunah	—	—	0	7	6				
	" 4 Bundles of Tape	—		3	12	6				
	" 5 Duftories Wages	—	—	38	0	0				
				42	4	0	or	45	10	0
										3,209 10 0
" June.	Paid P. Laferte's Allowance for this Month	—					232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" 5 Duftories Wages	A. R^s	38	0	0	or	41	9	0	
										505 0 9
" July.	Paid Mr. S. Skardon from 1ft September 1779 to June 1780, is 10 Months, at 300 per Month		" S^a R^s	3,000		or	3,480	0	0	
	" P. Laferte's Allowance for this Month	—					232	0	0	
	" B. Rodrigue's	—		—			232	0	0	
	" Mending a Chair	—	—	0	14	0				
	" Tape	—	—	0	11	0				
	" 5 Duftories Wages for this Month			38	0	0				
		A. R^s		39	9	0	or	42	11	9
										3,986 11 9

" 1780.									
" Auguſt.	Paid Mr. P. Bowen's Allowance for May, June, and July 1780, at 300 R^{s} per Month, S^{a} Rup^{s} 900				or	1,044	0	0	
	" J. M. Playdell do.	do.		do.		1,044	0	0	
	" P. Laferte's Allowance for this Month			—		232	0	0	
	" B. Rodrigue's	—	—	—		232	0	0	
	" 5 Duftories Wages	A. R^{s}	38	0 0	or	41	0	9	
									2,593 0 9
" Sept.	Paid Laferte's Allowance for this Month			—		232	0	0	
	" B. Rodrigue's	—	—	—		232	0	0	
	" Cloth and Skin	—	A. R^{s}	1 0 0					
	" 5 Duftories Wages	—		38 0 0					
				39 0 0	or	42	2	0	
									506 2 0
" Oct.	Paid P. Laferte's Allowance for this Month			—		232	0	0	
	" B. Rodrigue's	—	—	—		232	0	0	
	" Silk, &c.	—	—	0 7 0					
	" 4 Duftories Wages for this Month			26 0 0					
			A. R^{s}	26 7 0	or	28	8	9	
									492 8 9
" Nov.	Paid P. Laferte's Allowance for this Month			—		232	0	0	
	" B. Rodrigue's	—	—	—		232	0	0	
	" J. M. Playdell's Allowance for Auguſt and September, S^{a} R^{s} 600	—	—		or	696	0	0	
	" Cloth	—	—	0 2 6					
	" 4 Duftories Wages for this Month			28 0 0					
			A. R^{s}	30 6 0	or	32	12	6	
									1,192 12 6
" Dec.	Paid P. Laferte's Allowance for this Month			—		232	0	0	
	" B. Rodrigue's	—	—	—		232	0	0	
	" Samuel Skardon's for Auguſt, September, October, and November, at 300 per Month, S^{a} R^{s} 1,200	—	—		or	1,392	0	0	
	" Cloth	—	—	0 5 0					
	" 4 Duftories Wages for this Month			28 0 0					
				28 5 0	or	30	9	3	
									1,886 9 3
" 1781.									
" Jan.	Paid P. Laferte Allowance for this Month			—		232	0	0	
	" B. Rodrigue's do.	do.		do.		232	0	0	
	" P. Bowen's Allowance from Auguſt to December 1780, is 5 Months, at 300 per Month, S^{a} R^{s} 1,500	—	—		or	1,740	0	0	
	" George Neſbit Thompſon's Allowance for October, November, and December 1780, at 300 S^{a} R^{s} 900	—	—	—	or	1,044	0	0	
	" Silk, &c.	—	—	0 9 0					
	" 4 Duftories Wages for this Month			28 0 0					
				28 9 0	or	30	13	6	
									3,278 13 6

" 1781.										
" Feb.	Paid P. Laferte's Allowance for this Month —						232	0	0	
	" B. Rodrigue's — — —						232	0	0	
	" George Nesbit Thompson's Allowance for January and February 1781 —						696	0	0	
	" Silk — —			0	3	0				
	" 4 Duftories Wages for this Month			28	0	0				
				28	3	0	or 30	7	0	
										1,190 7 0
" March.	Paid P. Laferte's Allowance for March and April —						464	0	0	
	" B. Rodrigue's do. — —						464	0	0	
	" Cloth and Silk — —			0	9	0				
	" 4 Duftories Wages for this Month			28	0	0				
				28	9	0	or 30	13	6	
										958·13 6
" May.	Paid Peter Laferte's Allowance for this Month —						232	0	0	
	" B. Rodrigue's do. — —						232	0	0	
	" G. N. Thompson's for March and April —						696	0	0	
	" The following Writers who attended in Writing the Papers of the Europe Dispatch by the Neptune :									
	" Marianor Victoriane, 54 Days, at 200 S^a R^s per Month —			360	0	0				
	" G. Bobjen for 14 Days —			93	5	4				
	" Robert Sloper for 41 Days —			273	5	4				
	" Reginaldo Abren 18 —			120	0	0				
	" Manuel Gomes 17 —			113	5	4				
	" George Rowe 12 —			80	0	0				
	" J. Peirara 16 — —			106	10	8				
	" Joseph Bruce 20 — —			20	0	0				
	" Diego Pereira 9 — —			60	0	0				
			S^a R^s	1,226	10	8	or 1,422	14	9	
	" Silk — —			0	6	0				
	" Marble coloured Paper, ½ Quire			6	7	6				
	" 4 Duftories Wages for April and May			56	0	0				
			A. R^s	62	13	6	or 67¼	0	0	
										2,650 12 9
" June.	Paid B. Rodrigue's Allowance for this Month —						232	0	0	
	" P. Laferte's — — —						232	0	0	
	" Peter's Bower's, from January to June 1781, is 6 Months, at 300, is S^a R^s 1800 or —						2,088	0	0	
	" Thomas D. Abren, for 1 Month 4 Days, at 200 S^s — — —						262	15	0	
	" 4 Duftories Wages for this Month		28	0	0	or	30	3	9	
										2,845 2 9
" July.	Paid P. Laferte's Allowance for this Month —						232	0	0	
	" B. Rodrigue's — —						232	0	0	
	" G. N. Thompson's for May and June —						696	0	0	
	" Silk — —			0	4	0				
	" 3 Duftories Wages for this Month			21	0	0				
				21	4	0	or 22	15	3	
										1,182 15 3
" Aug.	Paid P. Laferte's Allowance for this Month —						232	0	0	
	" B. Rodrigue's — — —						232	0	0	
	" 3 Duftories Wages —	A. R^s	21	0	0	or	22	10	6	
										486 10 6

" 1781.										
" Sept.	Paid P. Laferte's Allowance for this Month			—			232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" 3 Duftories Wages	—	A. R^{s}	21	0	0	or 22	10	6	
										486 10 6
" Oct.	Paid P. Laferte's Allowance for this Month			—			232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" 3 Duftories Wages	—	A. R^{s}	21	0	0	or 22	10	6	
										486 10 6
" Nov.	Paid P. Laferte's Allowance for this Month			—			232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" 3 Duftories Wages	—	A. R^{s}	21	0	0	or 22	10	6	
										486 10 6
" Dec.	Paid Ditto	ditto	ditto	—			—			486 10 6
" 1782.										
" Jan.	Paid P. Laferte's Allowance for this Month			—			232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" Bookbinders, Silk, &c.	—		1	10	0				
	" 3 Duftories Wages for this Month			21	0	0				
			A. R^{s}	22	10	0	or 24	7	0	
										488 10 0
" Feb.	Paid P. Laferte's Allowance for this Month			—			232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" Green Cloth for the Writing Table, 1¾ Yard	—	—		0	13	2			
	" Glue	—	—		0	5	6			
	" A Knife to cut Paper	—			1	1	3			
	" Cleaning Penknives	—			0	6	3			
	" A ſmall Lanthorn	—			2	4	0			
	" 3 Duftories Wages for this Month			21	0	0				
			A. R^{s}	38	3	0	or 41	4	0	
										505 4 0
" March.	Paid Laferte's Allowance for this Month			—			232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" Bowers's, from July 1781 to March 1782, being 9 Months, at 300 per Month									
			S^{a} R^{s}	2,700	0	0	2,700	0	0	
	5 Duftories Wages for this Month			38	0	0	or 41	9	0	
										3,637 0 9
" April.	Paid Laferte's Allowance for this Month			—			232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" Cloth, Bookbinder, &c.	—		13	0	0				
	" 5 Duftories Wages	—		38	13	0	or 41	14	9	
										505 14 9
" May.	Paid Mr. P. Bower's Allowance for April			—			348	0	0	
	" Do.	do.	for May	—			348	0	0	
	" Rodrigue's	do.	do.	—			232	0	0	
	" P. Laferte's	do.	do.	—			232	0	0	
	" 5 Duftories Wages	—	A. R^{s}	38	0	0	or 41	9	0	
										1,201 9 0
" June.	Paid P. Laferte's Allowance for this Month			—			232	0	0	
	" B. Rodrigue's	—	—	—			232	0	0	
	" Silk, Guzzy, Cloth, &c.	—			0	10	9			
	" 3 Duftories Wages for 18 Days				14	6	3			
	" 3 Do.	do.	12 Days		9	9	9			
	" 2 Do.	do.	for this Month		14	0	0			
			A. R^{s}	38	10	9	or 41	12	3	
										505 12 3

" 1782.									
" July.	Paid P. Bower's Allowance for June			—			348	0	0
	" B. Rodrigue's do.	for July		—			232	0	0
	" P. Laferte's do.	do.		—			232	0	0
	" 5 Duftories Wages		A. R^s	38	0	0 or	41	0	9
									853 0 9
" Aug.	Paid P. Bower's Allowance for July			—			348	0	0
	" G. N. Thompſon's, from January to Auguſt 1782, is 8 Months, a 300 per Month,								
			S^a R^s	2,400	0	0 or	2,784	0	0
	" B. Rodrigue's Allowance for this Month						232	0	0
	" P. Laferte's	—		—			232	0	0
	" 3 Duftories Wages		A. R^s	24	0	0			
	" 2 Do. for 15 Days		—	11	7	0			
			A. R^s	35	7	0 or	38	4	3
									3,634 4 3
" Sept.	Paid B. Rodrigue's Allowance for this Month						232	0	0
	" P. Laferte's	—		—			232	0	0
	" 3 Duftories Wages		—	24	0	0			
	" 1 Do. for 26 Days		—	8	9	6			
				32	9	6 or	35	3	3
									499 3 3
" Oct.	Paid B. Rodrigue's Allowance for this Month			—			232	0	0
	" P. Laferte's	—		—			232	0	0
	" 4 Duftories Wages for this Month								
			A. R^s	34	0	0 or	36	11	6
									500 11 6
" Nov.	Paid B. Rodrigue's Allowance for this Month			—			232	0	0
	" Laferte's do.	—		—			232	0	0
	" Skins for covering Books		—	6	0	0			
	" Cloth and Silk		—	1	0	0			
	" 4 Duftories Wages for this Month			34	0	0			
			A. R^s	41	0	0 or	44	4	6
									508 4 6
" Dec.	Paid B. Rodrigue's Allowance for this Month						232	0	0
	" P. Laferte's do.	—		—			232	0	0
	" Bookbinder and Silk		—	0	7	6			
	" 4 Duftories Wages for this Month			34	0	0			
				34	7	6 or	37	3	6
									501 3 6
" 1783.									
" Jan.	Paid P. Bower's Allowance from Auguſt to December 1782, is 5 Months, at 300 R^s per Month,								
			S^a R^s	1,500	0	0 or	1,740	0	0
	" B. Rodrigue's Allowance for this Month						232	0	0
	" P. Laferte's do.	—		—			232	0	0
	" 2 Skins for binding Books			1	1	3			
	4 Duftories Wages for this Month			34	0	0			
			A. R^s	35	1	3 or	37	14	3
									2,241 14 3

" 1783.									
" Feb.	Paid P. Bower's Allowance for January			—		348	0	0	
	" B. Rodrigue's do. for February			—		232	0	0	
	" P. Laferte's Allowance for this Month			—		232	0	0	
	" Bafta, 2 Cubits	—	0	4	0				
	" 4 Duftories for this Month		34	0	0				
			34	4	0	or 36	15	9	848 15 9
" March.	Paid P. Bower's Allowance for February			—		348	0	0	
	" B. Rodrigue's do. for this Month			—		232	0	0	
	" P. Laferte's do.	—				232	0	0	
	" Silk and Bookbinder's Work		0	14	3				
	" 4 Duftories Wages for this Month		34	0	0				
			34	14	3	or 37	11	0	849 11 0
" April.	Paid P. Bower's Allowance for March			—		348	0	0	
	" B. Rodrigue's do. for this Month			—		232	0	0	
	" P. Laferte's do.	—		—		232	0	0	
	" 4 Duftories Wages A. R°		34	0	0	or 36	11	6	
									848 11 6
" May.	Paid P. Bower's Allowance for April			—		348	0	0	
	" B. Rodrigue's do. for this Month			—		232	0	0	
	" P. Laferte's do.	—		—		232	0	0	
	" Leather and Cloth for binding Books		0	1	0				
	" 4 Duftories Wages for this Month		34	0	0				
			34	1	0	or 36	11	6	848 11 6
" June.	Paid B. Rodrigue's Allowance for this Month					232	0	0	
	" P. Laferte's do.	—		—		232	0	0	
	" Wax, Cloth and Baftah	—	2	2	6				
	" 4 Duftories Wages for this Month		34	2	0				
	A. R°		36	2	6	or 39	0	9	503 0 9
" July.	Paid B. Rodrigue's Allowance for July			—		232	0	0	
	" P. Laferte's do	—		—		232	0	0	
	" A ſmall ſquare Lanthorn	—	2	8	0				
	" Silk, Gurras, &c.	—	1	0	0				
	" 4 Duftories Wages for July		34	0	0				
			37	8	0	or 40	8	0	504 8 0
" Aug.	Paid P. Laferte's Allowance for this Month			—		232	0	0	
	" B. Rodrigue's do.	—		—		232	0	0	
	" 1 Glaſs Ink Pot	—	0	13	0				
	" 1 Pair of Snuffers	—	1	1	3				
	" Silk and Guzzy, Cloth, &c.		0	13	9				
	" 4 Duftories Wages for this Month		34	0	0				
	A. R°		36	12	0	or 39	11	0	503 11 0

" 1783.

" Sept.	Paid Mr. P. Bower's Allowance for May, July, and Auguſt, a 300 Sa Rs				1,200	0	0	or 1,392	0 0
	" P. Laferte's Allowance for this Month							232	0 0
	" B. Rodrigue's do.	—	—					232	0 0
	" 1 Red Skin for covering a Book				0	8	0		
	" 4 Duftories Wages for this Month				34	0	0		
	A. Rs				34	8	0	or 37 4 3	
									1,893 4 3
" Oct.	Paid Mr. Bower's Allowance for Sept. and Oct. Sa Rs				600	0	0	or 696	0 0
	" B. Rodrigue's do. for this Month			—				232	0 0
	" P. Laferte's do.	—	—	—				232	0 0
	" 4 Duftories Wages for this Month A. Rs				34	0	0	or 36 11 6	
									1,196 11 6
" Nov.	Paid B. Rodrigue's his Allowance for this Month							232	0 0
	" P. Laferte's do.	—	—	—				232	0 0
	" Cloth and Red Skin for binding Books				0	12	9		
	" 4 Duftories Wages for this Month				34	0	0		
					34	12	9	or 37 9 3	
									501 9 3
" Dec.	Paid P. Bowers his Allowance for November			—				348	0 0
	" B. Rodrigue's do. for December			—				232	0 0
	" P. Laferte's do. do.		—	—				232	0 0
	" Silk for binding Books	—			0	4	0		
	" 4 Duftories Wages for this Month				34	0	0		
					34	4	0	or 36 15 9	
									848 15 9
	" Current Rupees								1,49,870 11 9

" Fort William,
the 31ſt December 1783.

(Errors excepted.)

" Wm Larkins,
Acting Attorney for the
Honourable W. Haſtings Eſq."

" D U P L I C A T E.

" Abſtract of various Charges diſburſed by the Governor General, from 13th April 1772 to 1ſt of January 1784, for the Service of the Honourable Company, not before carried to their Account.

" An Account of Sums diſburſed by the Governor General for the Salary of Lieutenant-colonel Gilbert Ironſide during the Period in which he acted as Military Secretary — — — — —	8511	7	6
" An Account of Charges diſburſed in the Office of the Governor General, from 1ſt September 1772 to 1ſt January 1784 — — —	1,49,870	11	9
" An Account of Sums diſburſed by the Governor General for the Hire of Houſes occupied by his Aides de Camp, from 1ſt December 1775 to 1ſt January 1784 — — — — — —	33,323	8	8
" An Account of Sums diſburſed by the Governor General for the Diet and other Charges of Pundits employed in compiling the Code of Hindoo Laws; for the Salaries of Perſons employed in tranſlating Books of the Mahommedan Law, and other Charges incidental to the ſame; and for the Wages and other Expences of the Madriſſa, or Mahommedan Academy — —	87,357	11	9
" An Account of Sums diſburſed for Budgerows and Boats for the Governor General's Uſe — — — — — —	59,156	5	9
" Current Rupees	3,38,219	13	5

" Fort William,
the 31ſt December 1783.

" (Errors excepted.)

" Wm Larkins,
Acting Attorney for the
Honourable Warren Haſtings Eſq."

"DUPLICATE.

"Account of Sums diſburſed for Budgerows and Boats for the Governor General's Uſe.

"1781.		MARY YACHT.						
"March.	Bought from Captain Thornhill, as per Bill — —	Sa Rs	8,000	0	0			
	"Batta 16 per Cent.		1,280	0	0			
						9,280	0	0
	"Repairing and Stores, ſupplied by Captain Sampſon, as per Bills,							
	"In June 1781		1,310	6	6			
	"July		2,012	3	9			
	"December 1782		2,806	14	9			
	"July 1783		1,706	13	3			
	"Auguſt		4,200	14	0			
			12,037	4	3			
	"Due to the Eſtate of the late Captain Sampſon on this Account —		303	5	0			
						12,340	9	3
								21,620 9 3
	"NEW BUDGEROW.							
	"Amount of Mr. David Cuming's Bill for building the ſame	Sa Rs	28,018	9	0			
	"Batta 16 per Cent.		4,482	15	6			
						32,501	8	6
	"Paid Mr. W. Williams, as per Bill, for 1 Pair Vaſe Lamps,	Sa Rs	70	2	0			
	"Batta 16 per Cent.		11	3	6			
						81	5	6
	"Due to the Eſtate of the late Captain Sampſon for Sundries ſupplied to do.		—			630	1	6
								33,212 15 6
"1783.		Charges ſince incurred.						
"June.	500 Dunnah Mats		—		—	34	12	9
"July.	A ſmall Lanthorn		1	8	0			
	"1 Carpet —		4	0	0			
	"1 Cheſt —		2	0	0			
	"Gurrey Cloth —		0	7	0			
	"Oil — —		0	4	0			
	"Making 2 Curbah Covering Cloths		23	10	0			
			31	13	0	or 36	14	3
	"Wages to 1 Larang, for July 1783		15	0	0			
	"11 Laſcars		77	0	0			
	"1 Wooluck hired to attend the Budgerow in going to Chinſurah		26	11	0			
	"A. Rs		118	11	0	or 128	2	9
						165	1	0

" 1783.									
" Aug.	Wages for this Month:								
	" To 1 Larong			15	0	0			
	" 11 Laſcars			77	0	0			
	" 1 Wooluck hired to attend the Budgerow			44	8	0			
	" Lamp Oil	—		0	6	6			
	" Towels, 12	—		1	3	6			
							138	2	0
							11	0	9
									149 2 9
" Sept.	Wages for this Month								
	" To 1 Larong			12	0	0			
	" 11 Laſcars			77	0	0			
	A. R^{s}			89	0	0	or 82	9	0
	" 1 Manjee, from 19th June to 30th September, is 3 Months and 12 Days, at 8 per Month A. R^{s}			27	3	0	or 25	2	9
	" 2 Golooyeas, for D° at 8	—		27	3	0	or 25	2	9
	" 32 Dandies, for D°, at 96 per Month						326	6	9
							459	5	3
	" Deduct paid by Mr. Cuming						100	0	0
							359	5	3
	" 1 Dorogah, from 24th June to 30th September, is 3 Months 7 Days, at 10 per Month	—		32	5	3	or 30	0	0
	" 1 Froſh, from D° to D°, at 5	—		16	2	9	or 15	0	0
	" 1 Wooluck hired to attend the Budgerow		A. R^{s}	46	0	0	or 42	11	0
									447 0 3
							" Batta 16 per Cent.	71	8 3
									518 8 6
" Oct.	Wages for this Month:								
	" To 1 Larong	—	—				12	0	0
	" 11 Laſcars	—	—				77	0	0
	" 1 Manjee	—	—				8	0	0
	" 2 Golooyeas	—	—				8	0	0
	" 32 Dandies	—	—				103	8	0
	" 1 Dorogah	—	—				10	0	0
	" 1 Froſh	—	—				5	0	0
	" Lamp Oil	—	—				0	4	0
	" 1 Wooluck hired to attend the Budgerow for 14 Days		—				20	1	0
									243 13 0
							" Batta 8 per Cent.	19	8 0
	" Charges ſince incurred.								263 5 0
" Nov.	Wages for this Month:								
	" To 1 Larong			12	0	0			
	" 11 Laſcars			77	0	0			
	" 1 Manjee	—		8	0	0			
	" 2 Golooyeas			8	0	0			
	" 32 Dandies	—		103	8	0			
	" 1 Dorogah			10	0	0			
	" 1 Froſh	—		5	0	0			
	" Lamp Oil	—		0	4	3			
							223	12	3
							" Batta 8 per Cent.	17	14 6
									241 10 9

" 1783.

" Dec. Wages for this Month:						
" To 1 Larang	12	0	0			
" 11 Laſcars	77	0	0			
" 1 Manjee	8	0	0			
" 2 Golooyeas	8	0	0			
" 32 Dandies	103	8	0			
" 1 Dorogah	10	0	0			
" 1 Froſh	5	0	0			
" Lamp Oil	0	4	3			
				223	12	3
" Batta 8 per Cent.				17	14	6
					241 10 9	
						1,614 3 6
" Amount of Mr. Griffith's Bill for a Budgerow, purchaſed from him on June 1781			Sas	2500	0	0
" Deduct the Amount at which ſhe was ſold by public Auction — —			Sas	165	0	0
					2335 0 0	
" Batta 16 per Cent.					373 9 6	
						2,708 9 6
" Fort William, " the 19th January 1784.				Current Rupees		59,156 5 9")(a) §

Read, the following Extract from Mr. Haſtings' written Defence delivered in at the Bar of the Houſe of Commons, beginning at Page 367 of the ſame.

" The laſt Part of the Charge ſtates, that in my Letter to the Court of Directors of the 21ſt of February 1784, I have confeſſed to have received another Sum of Money, the Amount of which is not declared; but which, from the Application of it, could not be leſs than thirty-four thouſand Pounds Sterling, &c.—In the Year 1783, when I was actually in Want of a Sum of Money for my private Expences, owing to the Company not having at that Time ſufficient Caſh in their Treaſury to pay my Salary, I borrowed Three Lacks of Rupees of Rajah Nobkiſſen, an Inhabitant of Calcutta, whom I deſired to call upon me with a Bond properly filled up—he did ſo; but, at the ſame Time I was going to execute it, he entreated, I would rather accept the Money than execute the Bond: I neither accepted the Offer nor refuſed it; and my Determination upon it remained ſuſpended between the Alternative of keeping the Money as a Loan to be repaid, and of taking it and applying it, as I had done other Sums, to the Company's Uſe; and there the Matter reſted till I undertook my Journey to Lucknow, when I determined to accept the Money for the Company's Uſe, and theſe were my Motives; having made Diſburſements from my own Caſh for Services which, though required to enable me to execute the Duties of my Station, I had hitherto omitted to enter into my Public Accounts, I reſolved to reimburſe myſelf in a Mode moſt ſuitable to the Situation of the Company's Affairs, by charging theſe Diſburſements in my Durbar Accounts of the preſent Year, and crediting them by a Sum privately received, which was this of Nobkiſhen's. If my Claims upon the Company were not founded in Juſtice, and bona fide due, my Acceptance of three Lacks of Rupees from Nobkiſhen by no Means precludes them from recovering that Sum from me. No Member of this Honourable Houſe ſuſpects me, I hope, of the Meanneſs and Guilt of preſenting falſe Accounts. I have never benefited by contingent Charges, or by retaining the Money of the Publick in my own Poſſeſſion for my private Emolument."

The Managers for the Commons ſtated, that the next Paper they ſhould produce contained a Demand made by the Court of Directors of a further Explanation of the Subject in Queſtion."

Read, from Book 211, already delivered in, the following " Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 16th March 1784."

" Par. 47. We have conſidered the Letters from the Governor General of the 20th January, 22d May, and 16th December 1782, relative to Preſents, together with the Account which accompanied the Letter of the 22d May.—Although it is not our Intention to expreſs any Doubt of the Integrity

(a) Vide Appendix, N° XL.

of

of our Governor-General, on the contrary, after having received the Preſents, we cannot avoid expreſſing our Approbation of his Conduct, in bringing them to the Credit of the Company; yet we muſt confeſs the Statement of thoſe Tranſactions appears to us in many Parts ſo unintelligible, that we feel ourſelves under the Neceſſity of calling on the Governor General for an Explanation agreeable to his Promiſe, voluntarily made to us. We therefore deſire to be informed of the different Periods when each Sum was received, and what were the Governor General's Motives for withholding the ſeveral Receipts from the Knowledge of the Council, or of the Court of Directors, and what were his Reaſons for taking Bonds for Part of theſe Sums, and for paying other Sums into the Treaſury as Depoſits on his own Account.

" Signed at the End,

Joſeph Sparks,	Nath. Smith,
J. Smith,	W. Devaynes,
Jacob Boſanquet,	John Roberts,
Thoˢ Parry,	L. Sullivan,
George Tatem,	W. Benſley,
Lionel Darell,	John Hunter,
Rᵈ Hall,	Jnº Michie."

To prove that the above Letter of the 16th of March 1784, was received at Bengal,

Read, from Book 220, the following Extract of a Conſultation of the 28th of Auguſt 1784.

" Fort William, 28th Auguſt 1784.

Saturday. " At a Council; Preſent,

" John Macpherſon, } Eſquires.
John Stables, }

" The Governor General abſent at Lucnow.
" Mr. Wheler abſent on the River.

" The Surprize Packet being arrived, is opened, and found to contain 4 General Letters from the Court of Directors, Three under Date the 16th March, and One of the 23d April; alſo ſundry other Papers agreeably to the Liſt of Packet.

" Agreed to adjourn till Monday next for the Peruſal of the above Letters, and for iſſuing ſuch Orders upon them as may be neceſſary.

" John Macpherſon,
John Stables."

It was agreed on both Sides that Mr. Haſtings, at the Time of the Receipt of the above-mentioned Letter, was abſent at Lucknow; that he afterwards returned to Calcutta, and took his Seat at the Board about the 5th of November 1784, and departed for England ſome Time in the Month of February following, 1785.

The Managers for the Commons ſtated, they ſhould next produce a Letter from Mr. Haſtings, bearing date the 17th of January 1785.

Read, from Book 219, the following Extract of a Conſultation of the 17th of January 1785, beginning at Page 369 of the ſame.

" Fort William, the 17th January 1785.

Gen. Dept. Monday. " At a Council; Preſent,

" The Honourable Warren Haſtings Eſquire,

" John Macpherſon, and John Stables, } Eſquires.

" The following Minutes recorded in the Political Department on the 13th inſtant, having been transferred to this Department, are now entered, and the neceſſary Orders iſſued thereupon.

" Read, two Letters from the Governor General, as follow:

" Honourable Sir and Sirs,

Gov. General. " I herewith beg leave to deliver up the three Company's Intereſt Notes alluded to in the following Extract of an Account which accompanied my Letter to the Honourable Secret Committee of the Honourable Court of Directors of 22d May 1782.

"1780.
Oct.

" The following Sums were paid into the Treaſury, and Bonds granted for the ſame, in the Name of the Governor General, in whoſe Poſſeſſion the Bonds remain, with a Declaration

upon each, endorſed, and ſigned by him, that he has no Claim on the Company for the Amount either of Principal or Intereſt, no Part of the latter having been received.

" One Bond, dated	1ſt October 1780.	N° 1539	1,16,000	
" One	2d	N° 1540	1,16,000	
" One	23 Novem[r]	N° 1354	1,74,000	
				4,06,000

" And am to requeſt that the Honourable Board will be pleaſed to direct the Accountant General to transfer the ſame from my Credit upon the Honourable Company's Intereſt Books to the Company's, which will be a Reduction of Current Rupees 5,42,003 : 8 : 9, in the Amount of the Principal and Intereſt of the bonded Debt of this Preſidency on 31ſt *Ultimo*.

" I am alſo to requeſt that the Accountant General may be directed to transfer the Sum of Current Rupees, 2,38,715 : 2 : 3, which now ſtands to my Credit upon the Depoſit Books to the Company's, the ſame being the Amount of the Second Article of the Account before adverted to, which will conſequently reduce the Amount which now appears due from the General Treaſury for Depoſits.

" In cloſing this Addreſs I have but to aſſure the Honourable Board, that the Honourable Company have had Credit for every other Article and Sum contained in the Account before mentioned.

" Fort William, 17th January 1785. I have the Honour to be, &c.

(Signed) " Warren Haſtings.

" And at the End of the Conſultation,

" John Macpherſon,

John Stables."

The Managers for the Commons ſtated, they ſhould next produce a Letter from Mr. Haſtings to the Court of Directors, dated Cheltenham, 11th July 1785, in anſwer to the above mentioned Letter of the 16th March 1784, requiring a further Explanation of the Tranſaction in Queſtion.

Read, the ſame from an original Paper already delivered in (*a*), as follows.

" William Devaynes Eſquire, Chairman of the Honourable the Court of Directors.

" Sir,

" The Honourable Court of Directors, in their General Letter to Bengal by the Surpriſe, dated the 16th March 1784, were pleaſed to expreſs their Deſire, that I ſhould inform them of the Periods when each Sum of the Preſents mentioned in my Addreſs of the 22d May 1782, was received; what were my Motives for withholding the ſeveral Receipts from the Knowledge of the Council, or of the Court of Directors; and what were my Reaſons for taking Bonds for Part of theſe Sums, and for paying other Sums into the Treaſury as Depoſits on my own Account.

" I have been kindly apprized, that the Information required as above is yet expected from me. I hope that the Circumſtances of my paſt Situation, when conſidered, will plead my Excuſe for having thus long withheld it. The Fact is, that I was not at the Preſidency when the Surprize arrived; and when I returned to it, my Time and Attention were ſo entirely engroſſed to the Day of my final Departure from it, by a Variety of other more important Occupations, of which, Sir, I may ſafely appeal to your Teſtimony, grounded on the large Portion contributed by myſelf, of the Volumes which compoſe our Conſultations of that Period, that the Submiſſion, which my Reſpect would have enjoined me to pay to the Command impoſed on me, was loſt to my Recollection, perhaps from the ſtronger Impreſſion which the firſt and diſtant Peruſal of it had left on my Mind, that it was rather intended as a Reprehenſion, for ſomething which had given Offence in my Report of the original Tranſaction, than as expreſſive of any Want of a further Elucidation of it.

" I will now endeavour to reply to the different Queſtions which have been ſtated to me, in as explicit a Manner as I am able. To ſuch Information as I can give, the Honourable Court is fully entitled; and where that ſhall prove defective, I will point out the eaſy Means by which it may be rendered more complete.

" Firſt, I believe I can affirm with Certainty, that the ſeveral Sums mentioned in the Account tranſmitted with my Letter above mentioned, were received at, or within a very few Days of the Dates which are prefixed to them in the Accounts. But as this contains only the groſs Sums, and each of theſe was received in different Payments, though at no great Diſtance of Time, I cannot therefore aſſign a greater Degree of Accuracy to the Account. Perhaps the Honourable Court will judge this ſufficient for any Purpoſe to which their Inquiry was directed; but if it ſhould not be ſo, I will beg leave to refer for a more minute Information, and for the

(*a*) Vide ſupra, Page 553.

Means of making any Inveſtigation which they may think it proper to direct, reſpecting the Particulars of this Tranſaction, to Mr. Larkins your Accountant General, who was privy to every Proceſs of it, and poſſeſſed, as I believe, the original Paper which contained the only Account that I ever kept of it. In this each Receipt was, as I recollect, ſpecifically inſerted with the Name of the Perſon by whom it was made; and I ſhall write to him to deſire that he will furniſh you with the Paper itſelf, if it is ſtill in Being, and in his Hands, or with whatever he can diſtinctly recollect concerning it.

" For my Motives for withholding the ſeveral Receipts from the Knowledge of the Council, or of the Court of Directors, and for taking Bonds for Part of theſe Sums, and paying others into the Treaſury as Depoſits on my own Account, I have generally accounted in my Letter to the Honourable the Court of Directors, of the 22d May 1782; namely, that 'I either choſe to conceal 'the firſt Receipts from publick Curioſity, by receiving Bonds for the Amount; or poſſibly acted 'without any ſtudied Deſign which my Memory, at that Diſtance of Time, could verify; and that 'I did not think it worth my Care, to obſerve the ſame Means with the reſt.' It will not be expected, that I ſhould be able to give a more correct Explanation of my Intentions, after a Lapſe of Three Years, having declared at the Time that many Particulars had eſcaped my Remembrance; neither ſhall I attempt to add more than the clearer Affirmation of the Facts implied in that Report of them, and ſuch Inferences as neceſſarily, or with a ſtrong Probability, follow them. I have ſaid, that the Three firſt Sums of the Account were paid into the Company's Treaſury without paſſing through my Hands. The Second of theſe was forced into Notice by its Deſtination and Application to the Expence of a Detachment, which was formed and employed againſt Mahdajee Scintia, under the Command of Lieutenant Colonel Carnac, as I particularly appriſed the Court of Directors, in my Letter of the 29th December 1780. The other Two were certainly not intended, when I received them, to be made publick, though intended for publick Service, and actually applied to it. The Exigencies of the Government were at that Time my own, and every Preſſure upon it reſted with its full Weight upon my Mind. Wherever I could find allowable Means of relieving thoſe Wants, I eagerly ſeized them; but neither could it occur to me as neceſſary, to ſtate on our Proceedings every little Aid which I could thus procure, nor do I know how I could have ſtated it, without appearing to court Favour by an Oſtentation which I diſdained, nor without the Chance of exciting the Jealouſy of my Colleagues by the conſtructive Aſſertion of a ſeparate and unparticipated Merit derived from the Influence of my Station, to which they might have laid an equal Claim: I ſhould have deemed it particularly diſhonourable to receive, for my own Uſe, Money tendered by Men of a certain Claſs, from whom I had interdicted the Receipt of Preſents to my Inferiors, and bound them by Oath not to receive them: I was therefore more than ordinarily cautious to avoid the Suſpicion of it, which would ſcarcely have failed to light upon me had I ſuffered the Money to be brought directly to my own Houſe, or to that of any Perſon known to be in Truſt for me; for theſe Reaſons I cauſed it to be tranſported immediately to the Treaſury. There I well know, Sir, it could not be received without being paſſed to ſome Credit, and this could only be done by entering it as a Loan, or as a Depoſit. The firſt was the leaſt liable to Reflection, and therefore I had obviouſly Recourſe to it. Why the Second Sum was intended as a Depoſit, I am utterly ignorant. Poſſibly it was done without any ſpecial Direction from me; poſſibly becauſe it was the ſimpleſt Mode of Entry, and therefore preferred, as the Tranſaction itſelf did not require Concealment, having been already avowed.

" Although I am firmly perſuaded that theſe were my Sentiments on the Occaſion, yet I will not affirm that they were. Though I feel their Impreſſion as the Remains of a Series of Thoughts retained on my Memory, I am not certain that they may not have been produced by ſubſequent Reflection on the principal Fact, combining with it the probable Motives of it. Of this I am certain, that it was my Deſign originally to have concealed the Receipt of all the Sums, except the Second, even from the Knowledge of the Court of Directors. They had anſwered my Purpoſe of publick Utility; and I had almoſt totally diſmiſſed them from my Remembrance. But when Fortune threw a Sum in my Way of a Magnitude which could not be concealed, and the peculiar Delicacy of my Situation at the Time in which I received it, made me more circumſpect of Appearances, I choſe to appriſe my Employers of it, which I did haſtily and generally; haſtily, perhaps, to prevent the Vigilance and Activity of ſecret Calumny; and generally, becauſe I knew not the exact Amount of the Sum of which I was in the Receipt, but not in the full Poſſeſſion: I promiſed to acquaint them with the Reſult as ſoon as I ſhould be in Poſſeſſion of it; and in the Performance of my Promiſe I thought it conſiſtent with it, to add to the Account all the former Appropriations of the ſame Kind; my good Genius then ſuggeſting to me, with a Spirit of Caution, which might have ſpared me the Trouble of this Apology, had I univerſally attended to it, that if I had ſuppreſſed them, and they were afterwards known, I might be aſked, what were my Motives for withholding Part of theſe Receipts from the Knowledge of the Court of Directors, and informing them of the reſt.

" It being my Wiſh to clear up every Doubt upon this Tranſaction which either my own Mind could ſuggeſt, or which may have been ſuggeſted by others; I beg Leave to ſuppoſe another Queſtion, and to ſtate the Terms of it in my Reply, by informing you that the Indorſement on the Bonds was made about the Period of my leaving the Preſidency in the Middle of the Year 1781, in order to guard againſt their becoming a Claim on the Company as Part of my Eſtate, in the Event of my Death occurring in the Courſe of the Service on which I was then entering.

" This

" This, Sir, is the plain Hiſtory of the Tranſaction. I ſhould be aſhamed to requeſt that you would communicate it to the Honourable Court of Directors, whoſe Time is too valuable for the Intruſion of a Subject ſo unintereſting, but that it is become a Point of indiſpenſable Duty; I muſt therefore requeſt the Favour of you to lay it at a convenient Time before them. In addreſſing it to you perſonally, I yield to my own Feelings of the Reſpect which is due to them as a Body, and to the Aſſurances which I derive from your experienced Civilities, that you will kindly overlook the Trouble impoſed by it.

" I have the Honour to be,
Sir,
Your very humble, and
Moſt obedient Servant,
" Warren Haſtings."

" Cheltenham,
the 11th July 1785.

The Managers for the Commons ſtated, They ſhould next produce a Letter from William Larkins Eſquire, Accountant General in Bengal, to the Chairman of the Eaſt India Company, dated Calcutta, 5th Auguſt 1786, containing that Account which Mr. Haſtings ſaid he could not furniſh, but which he told them Mr. Larkins could furniſh.

The Witneſs produced an original Paper.

The ſame was read, and is as follows:

" To William Devaynes Eſquire, Chairman, or to the Chairman for the Time being, of the Honourable the Court of Directors of the United Company of Merchants of England trading to the Eaſt Indies.

" Sir,

Par. 1. " In conformity to the Directions which I had the Honour to receive by the Talbot, on the 28th April 1786, from my much-reſpected Friend Mr. Haſtings, dated Cheltenham, 18th July 1785, I have the Honour to tranſmit you Copies of the Papers, which I kept as Memorandums of the Particulars of the Dates on which the Sums contained in Mr. Haſtings's Account of 22d May 1782 were received.

2. " Should it ever be required of me to authenticate the Veracity of theſe Copies upon Oath, I ſhall at all Times be ready to afford that Solemnity to the Fidelity with which they have been made; but it cannot be expected that I ſhould at preſent, by voluntarily making this ſerious Appeal to the Omniſcient, incur the Suſpicion of wantonly proſtituting ſuch ſolemn Aſſurances with Indifference; which is an Idea that would moſt probably be encouraged by thoſe who were pleaſed to inſinuate, in the Eleventh Report of the Select Committee of the Houſe of Commons, that becauſe there were other Modes, by which the Neceſſity of that which I did take on 16th December 1782, which accompanied Mr. Haſtings's Letter of that Date, might have been precluded, yet, as theſe were not taken, my Affidavit merited little Credit in the Eſtimation of Mankind.—And that the Juſtice of this Inſinuation may no longer be inferred, from my not having explained the Circumſtances which, as I thought, rendered that Affidavit neceſſary, I ſhall now ſtate them with the utmoſt Fidelity.

3. " Mr. Haſtings returned from Benares to Calcutta on 5th February 1782: At that Time I was wholly ignorant of the Letter which, on 20th January, he wrote from Patna, to the Secret Committee of the Honourable Court of Directors: The rough Draft of this Letter, in the Hand Writing of Major Palmer, is now in my Poſſeſſion. Soon after his Arrival at the Preſidency, he requeſted me to form the Account of his Receipts and Diſburſements, which you will find journalized in the 280th, &c. and 307th Pages of the Honourable Company's General Books of the Year 1781-2. My official Situation, as Accountant General, had previouſly convinced me, that Mr. Haſtings could not have made the Iſſues, which were acknowledged as received from him, by the Accounts of ſome of the Paymaſters to the Army, unleſs he had obtained ſome ſuch Supply as that which he afterwards, viz. on the 22d May 1782, made known to me; when I immediately ſuggeſted to him the Neceſſity of his tranſmitting that Account which accompanied his Letter of that Date; till when, the Promiſe contained in his Letter of 20th January had entirely eſcaped his Recollection.—The Particulars of the Paper N° 1 were read over to me, from a Bengal Paper, by his Banyan Cauntoo Baboo; and, if I am not miſtaken, the Three Firſt Lines of that N° 2, were read over to me, from a Perſian Paper, by his Moonſhy. The Tranſlation of theſe Particulars, made by me, was, as I verily believe, the firſt complete Memorandum that he ever poſſeſſed of them in the Engliſh Language; and I am confident, that if I had not ſuggeſted to him the Neceſſity of his taking this Precaution, he would, at this Moment, have been unable to have afforded any ſuch Information concerning them.

4. " The rough Draft of this Letter and Account having been made by Mr. Haſtings, in my Preſence, at his Garden Houſe at Alleypore, I wrote the fair Copies of them. After theſe were ſigned by him, they were put into a Cover, directed by me, which he ſealed up. I then took the Letter with me into Town, for the Purpoſe of being delivered to the Secretary, when the Cloſe

of

of the Lively's Packet might be near at hand, not deeming it eligible to deliver it before, as I had known Inſtances of Letters that were delivered to the Secretaries any Length of Time before the Departure of a Packet, eſcape their Recollection at the Cloſe thereof.

5. " On 21ſt Auguſt 1782, I was taken alarmingly ill, and when I was ſufficiently recovered to be put into a Budgerow for the Change of Air, apprehenſive that the Packet might be cloſed ere I returned to the Preſidency, I ſent the Letter by my Jemmautdar, with a verbal Meſſage to Mr. Secretary Auriol, requeſting that he would take care that it was put into the Lively's Packet; but Mr. Auriol not knowing that it was a Letter from the Governor General, declined taking charge of it for this Purpoſe, alledging that it was repugnant to the Standing Regulation of the Service, for any Servant to correſpond with the Court of Directors, but through the Governor General and Council. I was at this Time unable to write, and not having then any Perſon about me, who could have wrote what I dictated, I ſent the Letter by my Jemmautdar to Mr. George Neſbitt Thompſon, Mr. Haſtings's Private Secretary, with the ſame Requeſt as that by which it had been tendered to Mr. Auriol; I returned to Calcutta on 13th December 1782, and immediately ſuggeſted to Mr. Haſtings the Neceſſity of his accompanying this Letter with the Affidavit which I took before Mr. Juſtice Hyde, and a Letter explanatory of the Apprehenſions which ſuggeſted this Precaution.

6. " Upon referring to the Liſt of Packet ſent by the Reſolution, it will be found to have been dated on 9th May 1782: And although the Public Department Proceedings of the 30th May will be found to ſtate, that the Commander reported, in a Letter dated 26th of that Month that his Diſpatches had been delivered to him, but that he could not proceed to Sea until he had replaced the Anchors and Cables which he had loſt, there will not, I believe, be found any Letter or Paper, tranſmitted either to the Honourable Court, or to their Secretary, either by the Governor General and Council, or by either of their Secretaries, of a later Date than that of 9th May 1782, when I had not been made acquainted with the Tranſaction alluded to in Mr. Haſtings's Letter of 20th January 1782: And although the Statement of 22d May 1782 might have been deemed in 1783 " a new Diſcovery," yet it will appear, that the Second Article of it had been communicated to the Secret Committee of the Honourable Court of Directors on 29th November 1780, and that the laſt Article of that Statement had been reported to them on 20th January 1782. The Firſt of theſe Dates will, I believe, be found prior to the Inſtitution of any Parliamentary Enquiry into the Tranſactions of the Governor General and Council, and the laſt of them will alſo be found to be prior to any of the Reſolutions of the Houſe of Commons that were paſſed, which affected Mr. Haſtings; and it cannot require an Argument to prove, that it was not poſſible for him to have known in Bengal, what had not paſſed in England a Month, when I recommended the Formation of that Account and Letter which were wrote on 22d May 1782, when we had every Reaſon to ſuppoſe that the Reſolution had taken her Departure; but had it been known that there was an Opportunity of writing by her, yet, as that Ship was ſo badly manned, ſhe was not likely, at ſo unfavourable a Seaſon of the Year, to make any other than a very tedious Paſſage, and as we were then in daily Expectation of the Maratta Treaty arriving from Mr. Anderſon, when it was intended to diſpatch a Packet to England, I certainly ſhould not have adviſed Mr. Haſtings to tranſmit any ſuch Papers by her, unleſs I could have foreſeen that Neceſſity, which did not occur until after the Reſolutions of the Houſe of Commons of 15th April 1782 had become known in Bengal, when the Affidavit became neceſſary; but which could not have been the Caſe, had the Letter of 22d May 1782 been previouſly tranſmitted, either by the Reſolution or by any other Conveyance; ſince it could not have been required to prove what had already been eſtabliſhed.

7. " While Mr. Haſtings filled the Station of Governor General, I had too much Reaſon to apprehend that any Explanation which I could have given of theſe Circumſtances, whatever might have been the Solemnity of the Aſſurances under which they could have been given, would have been attributed to the moſt abandoned, as well as the moſt ſelfiſh Motives; and it is only upon the Confidence which I deem myſelf entitled to place upon the Eſtimation in which my Character has hitherto been held, during the Fourteen Years that I have had the Honour to ſerve the Honourable Company, Nine of which have been paſſed in executing the Duties of One of the moſt important Offices under this Government, that I can venture to incur the Suſpicion of having ſacrificed the Duty which I owe to my Honourable Employers, and to my own Character, to Motives of Gratitude for one who was my Patron, by attempting to refute the implacable Reflections that affect my Character in the Fifth Page of the Eleventh Report of the Select Committee of the Houſe of Commons.

8. " I ſhall now proceed to ſtate the Explanations which are required to elucidate the Correſpondence between the Papers No. 1 and 2, which accompany this Addreſs, and Mr. Haſtings's Account of 22d May 1782.

9. " Although the Two firſt ſtated Sums are, in the Paper marked N° 1, aſſerted to have been paid to Mr. Croftes in 18th and 19th Aſſin 1187, which correſponds with the 1ſt and 2d November 1780; yet the Copy of the Bengal running Treaſury Account, which is now in England, will not be found to contain any ſuch Sums as received from Mr. Haſtings under theſe Dates; becauſe theſe, together with another Sum of Sicca Rupees One Lack, which were taken from his own Caſh at that Time, made up the firſt Supply that was ſent to the Maratta Army under

Chimnagee Booſla, which the Sub-Treaſurer could not bring to Account, until he was authorized by an expreſs Order of Council upon the Treaſury for that Purpoſe, which was not granted until 5th January 1781; after which, viz. on 15th of that Month, the Head of Secret Service was debited for the Amount of that Supply, and the Head of Money borrowed at Intereſt 1780, credited for theſe Sums, for which the Bonds N° 1539, dated 1ſt October 1780, and N° 1540, dated 2d October 1780, each for the Sum of Current Rupees 1,16,000, or Siccas One Lack, were granted. The Remainder of that Amount was carried to the Credit of the Head of Four per Cent. Remittance Loan; Mr. Haſtings having taken a Bond, N° 89, which has been ſince completely liquidated conformable to the Terms of that Loan.

10. " The Third Sum contained in Mr. Haſtings's Account, for which the Bond N° 1354, dated 23d November 1780, for Current Rupees 1,74,000, or Siccas 1,50,000, was granted, was for the Payment ſtated in the Paper N° 1 to have been made to Mr. Croftes on 11th Augun 1187, which correſponds with 23d November 1780.

11. " The Fourth Sum ſtated in Mr. Haſtings's Account was the Produce of ſundry Payments made to me, by Sadamund, Cheyte Sing's Buxey, who either brought or ſent the Gold Mohurs to my Houſe, from whence they were taken by me to Mr. Croftes's, either on the ſame Night or early in the Morning after; they were made at different Times, and I well remember that the ſame People never came twice.

12. " On 21ſt June 1780, Mr. Haſtings ſent for me, and deſired that I would take charge of a Preſent that had been offered to him by Cheyte Sing's Buxey, under the Plea of atoning for the Oppoſition which he had made towards the Payment of the extra Subſidy for defraying Part of the Expences of the War; but really in the Hope of its inducing Mr. Haſtings to give up that Claim; with which View the Preſent had firſt been offered. Mr. Haſtings declared, that although he would not take this for his own Uſe, he would apply it to that of the Company, in removing Mr. Francis's Objections to the Want of a Fund for defraying the extra Expences of Colonel Camac's Detachment.

13. " On my Return to the Office, I wrote down the Subſtance of what Mr. Haſtings had ſaid to me, and requeſted Mr. James Miller, my Deputy, to ſeal it up with his own Seal, and write upon it that he had then done ſo at my Requeſt. He was no further informed of my Motive for this, than merely that it contained the Subſtance of a Converſation which had paſſed between me and another Gentleman, which, in caſe that Converſation ſhould hereafter become the Subject of Enquiry, I wiſhed to be able to adduce the Memorandum then made of it, in corroboration of my own Teſtimony; and, although that Paper has remained unopened to this Hour, and notwithſtanding that I kept no Memorandum whatever of the Subſtance thereof, yet, as I have wrote this Repreſentation under the moſt ſcrupulous Adherence to what I conceive to be Truth, ſhould it ever become neceſſary to refer to this Paper, I am confident that it will not be found to differ materially from the Subſtance of this Repreſentation.

14. " As this Preſent paſſed through my Hands, called upon as I was by the Perſon for whom it was deſtined, and who requeſted me to receive it for the Purpoſe of being applied to the Honourable Company's Uſe, I conceived it was incumbent upon me to relate circumſtantially the Part which I had taken in the Tranſaction.

15. " The Fifth Sum mentioned in Mr. Haſtings's Account, is the Amount of the Payments ſtated by the Paper N° 1 to have been made to Mr. Croftes on 15 and 16 Byſack 1188, and will be found credited for, in the Copy of the Bengal running Treaſury Account, now in England, under 26th April 1781, which correſponds with 16th Byſack 1188; and as it will be found to have been moſtly made in Silver, it muſt have taken up more than One Day to count, as the Soucars at the Treaſury ſeldom can count more than One Lack of Sicca Rupees in One Day; of courſe, the whole Payment was brought to Account on the Date on which it was completely made.

16. " The Sixth Sum ſtated in Mr. Haſtings's Account appears, by the Paper N° 2, to have been received of Nundoolol, and may, I ſhould ſuppoſe, be conſidered as a Part of the Balance of the Peſhcuſh of Dinagepore, which is ſtated in the Paper N° 1, at Siccas 1,00,000 which would conſequently become reduced to 50,000—but this was an Alteration which I did not chuſe to make, that I might be enabled at all Times to ſwear that theſe Papers have continued in their original State.

17. " The Dates on which this Payment was made to Mr. Haſtings, as well as thoſe made in Part of the Produce of the Preſents enumerated in the Paper N° 2, are ſtated the ſame in the 280th and 281ſt Pages of the Honourable Company's General Journal of 1781-2, as they are brought to Account in Mr. Haſtings's private Books; but as neither of the other Sums paſſed through his Hands, theſe contained no ſuch Specification, and conſequently could not enable him to afford the Information with which he has requeſted me to furniſh you; and it is more than probable, that if the Affidavit which I took on the 16th December 1782, had not expoſed my Character to the Suſpicion of my being capable of committing one of the baſeſt Treſpaſſes upon the Confidence of Mankind, I ſhould, at this Diſtance of Time, have been equally unable to have complied with his Requeſt; but after I became acquainted with the Inſinuation ſuggeſted in the Eleventh Report of the Select Committee of the Houſe of Commons, I thought it but too probable, that, unleſs I were poſſeſſed of the original Memorandums which I had made of theſe

Tranſactions at the Time when I became acquainted with them, I might at ſome diſtant Period be unable to prove that I had not deſcended to commit ſo baſe an Action.—I have, therefore, always moſt carefully preſerved every Paper which I poſſeſſed regarding theſe Tranſactions.

18. " Although Mr. Haſtings was extremely diſſatisfied with the Excuſes which Gunga Govind Sing aſſigned for not paying Mr. Croftes the Sums ſtated by the Paper N° 1 to be in his Charge, he never could obtain from him any further Payments on this Account.

19. " Conſcious that the Concern which I have had in theſe Tranſactions need neither an Apology nor an Excuſe, and that I have in no Action of my Life ſacrificed the Duty or Fidelity which I owed to my Honourable Employers, either to the Regard which I felt for another, or to the Advancement of my own Fortune, I ſhall conclude this Addreſs, firmly relying upon the Candor of thoſe before whom it may be ſubmitted, for its being deemed a ſatisfactory as well as a circumſtantial Compliance with the Requiſition in conformity to which the Information it affords has been furniſhed, without which it would have been as baſe as diſhonourable for me ſpontaneouſly to have afforded it; for though the Duty which every Man owes to himſelf ſhould render him incapable of making an Aſſertion not ſtrictly true, no Man actuated either by virtuous or honourable Sentiments could miſtakenly apprehend, that unleſs he betrayed the Confidence repoſed in him by another, he might be deemed deficient in Fidelity to his Employers.

I have the Honour to be, with the utmoſt Reſpect, Sir,

" Calcutta, 5th Auguſt 1786.

Your moſt obedient humble Servant,
(Signed) Wm Larkins."

" No. I. DUPLICATE.

' COPY of the Particulars of the Dates on which the component Parts of ſundry Sums included in the " Account of Sums received on the Account of the Honourable Company by the Governor General, or paid to their Treaſury by his Order, and applied to their Service," were received for Mr. Haſtings, and paid to the Sub-Treaſurer.

" DINAGEPORE.

From 29 to 31	Sanwun 1186	—		89,999	0	0	
17 to 21	Bhaudun	—		49,974	0	0	
1 to 5	Aſſin	—	—	27,000	0	0	
8	Pooſe	—	—	25,000	0	0	
10	—	—	—	15,000	0	0	
27	—	—	—	10,000	0	0	
29	Maug	—	—	20,000	0	0	
2	Faugun	—	—	20,000	0	0	
4	—	—	—	9,000	0	0	
12	—	—	—	1,000	0	0	
9	Saurvum	—	—	40,000	0	0	
						3,06,973	0 0
18 and 19	Aſſin, paid Mr. Croftes		—			2,00,000	0 0
			Remains	—		1,06,973	0 0
			Charges	—		9,310	0 0
			Balance in Charge of G. G. S.		—		97,663 0 0

" PATNA.

12	Cheite	—	—	15,000	0	0	
18	—	—	—	10,000	0	0	
22	—	—	—	60,000	0	0	
23	—	—	—	5,000	0	0	
23	—	—	—	10,001	0	0	
28	—	—	—	60,000	0	0	
10	Byſack	—		10,000	0	0	
10	—	—	—	26,000	0	0	
12 to 14	—	—	—	20,000	0	0	
14	—	—	—	4,000	0	0	
2	Aſſin	—	—	1,800	0	0	
						2,21,801	0 0
15 and 16	Byſack, paid Mr. Croftes		—			2,00,000	0 0
			Balance		—		21,801 0 0

"NUDDEA.

15	Cawtic 1187,	—	16,001	0	0	
27	—	—	20,000	0	0	
28	—	—	20,000	0	0	
30	—	—	10,000	0	0	
4	Augun	—	7,749	0	0	
7	—	—	5,000	0	0	5,000 too much.
9	—	—	25,000	0	0	
	No Date	—	1,250	0	0	
24	Augun	—	15,000	0	0	
17	Pooſe	—	15,000	0	0	
22	—	—	20,000	0	0	
						1,50,000 0 0
11	Augun, paid to Mr. Croftes		—			1,50,000 0 0

Paid to Mr. Croftes:

19	Aſſin	2,00,000
16	Byſack	2,00,000
11	Augun	1,50,000
		5,50,000

"Memorandum of the Caboolats attended to in the above.

	Caboolats.		Received.		Balance.	
Dinagepore Peiſhcuſh	4,00,000	0 0	3,00,000	0 0	1,00,000	0 0
Nuddea —	1,50,000	0 0	1,50,000	0 0		
Patna —	4,00,000	0 0	2,00,000	0 0	2,00,000	0 0

(A true Copy).

(Signed) "Wm Larkins.
5th Auguſt 1786."

"No. II. DUPLICATE.

"Copy of the Particulars of the Preſents taken from the Nabob Vizier and his Miniſters, and from Nundoo Delol, carried to the Honourable Company's Credit, in the Account of the Receipts and Diſburſements of the Governor General, during his Abſence from the Preſidency, on a Viſit to the Northern Provinces, and included in Mr. Haſtings's Account of 22d May 1782. (*a*)

The Managers for the Commons ſtated, they would next proceed to ſhew, how many of the Bills produced in Evidence were realized in the Months of October and November 1781; and how many were realized before the End of January 1782; for which Purpoſe they deſired Mr. Wright, the Accountant of the Eaſt India Company, might be called.

Accordingly Mr. WRIGHT was called in; and, being ſworn, was examined as follows:

Q. What is that you have in your Hand?
A. The general Journal of Accounts of Bengal for the Years 1781 and 1782.

(*a*) Vide Appendix, N° CXXXI.

Read,

Read, the following Extract from the ſame Book, beginning at Page 280.

" Fort William, April 1782.

" The Honourable the Governor General Dr to ſundry Accounts, C. Rs 15,22,746 : 1 : 5

" Being the Amount received by him on the following Accounts:

" To Charges Durbar.

" Received from the Treaſury on this Account, in June 1781, as per Journal,

Page 113	—	—	—	52,200 : 0 : 0
Do in Auguſt 1781	—	—	58,000 : 0 : 0	
Received in October 1781	65,778 : 0 : 0			
Do in November —	2,43,236 : 9 : 0			
Do in December —	1,93,613 : 15 : 3			
Do in January 1782 —	4,59,726 : 5 : 3			
Do in February —	224 : 0 : 0			
Do in March —	67,696 : 3 : 9			
		10,30,275 : 1 : 3		
				10,88,275 : 1 : 3(a)

Then the Witneſs was aſked;

Q. Do you know any thing of the Appropriation of the Money ſo entered in theſe Accounts; have you looked into the Books of the Company; and do you from thence know of any other Documents which beſpeak the Application of this Money?

A. The Application of the Sums of Money ſo received is given in Page 282 to 286 of the ſame Journal.

Q. Refer to them.

A. The Firſt Sum for which the Governor General has Credit, is under the Head of Durbar Charges, which is contained in Pages 282 to 304, amounting to 1,79,938 Rupees.

Q. How much is the whole Amount of the different Items?

The Witneſs, in anſwer, read the following Extracts, beginning at Page 304 of the ſame Book.

" Fort William, April 1782.

" Poſt Office Charges	1,793	13	9
" Secret Services	56,000	0	0
" Charges Extraordinary	2,111	3	9
" Dead Stock	342	5	4
" Nabob Aſoph ul Dowlah	15,113	4	9
" Military Paymaſter General	4,69,728	0	0
" Reſident at Benaris	4,25,639	3	2
" Money borrowed at Benaris	2,27,459	8	9(b)

Then the Witneſs was aſked:

Q. *(by a Lord)*. Does the Date of theſe Applications appear?

A. No—The Whole is brought to Account in the Month of April 1782.

Q. *(By a Lord)*. How does it appear that they are Applications to the publick Service of thoſe Sums ſpecified in the former Articles you read?

A. The Title of the Entry which I have juſt read is this: " Sundry Accounts, 15,22,746 : 1 : 5 Rupees, being the Amount diſburſed by him on the following Accounts;" and then the different Heads are inſerted.

Q. I underſtand from you, that the Diſcharge appears by the ſame Book by which the Charge appears.

A. Yes.

The Witneſs was directed to withdraw.

The Managers for the Commons ſtated, they ſhould next produce a Letter from Mr. Haſtings, dated the 14th of March 1787, to ſhew that Mr. Haſtings made the Account, given by Mr. Larkins, his own.

The Witneſs produced a Paper indorſed as follows: " 14th March 1784. Letter from W. Haſtings Eſq. incloſing one to him from William Larkins Eſq. dated the 5th Auguſt, read in Court the 15th March 1787."

(a) Vide Appendix, N° CXXXII. (b) Vide Appendix, N° CXXXIII.

The ſame was read as follows.

" To the Honourable Court of Directors of the Honourable United Company of Merchants of England trading to the Eaſt Indies.

" London, 14th March 1787.

" Honourable Sirs,

" I do myſelf the Honour to tranſmit to you a Letter written to me by Mr. Larkins, your Accomptant General of Bengal, which accompanied the Letter addreſſed by him to your Chairman, and directed to William Devaynes Eſq. or the Chairman for the Time being. The latter was, immediately after the Receipt of it, conveyed by the Hands of a Friend to your preſent Chairman John Michie Eſq. and I ſhould have ſent the former with it, had it then appeared to me, as I ſince conceive it, intended for your Peruſal.

" I flatter myſelf that the Explanations given by Mr. Larkins are ſatisfactory to your Honourable Court, and that they contain a complete Reply to your Commands, tranſmitted to Bengal by the Surprize, in April 1784. If further Explanations are neceſſary, I ſhall have great Pleaſure in replying to ſuch other Queſtions, as your Honourable Court may be pleaſed to aſk, either upon this, or upon any other Subject that aroſe during my Adminiſtration.

" I have the Honour to be, with the greateſt Reſpect,
Honourable Sirs,
Your moſt obedient, and moſt
faithful Servant,
Warren Haſtings."

" (DUPLICATE.)

" Calcutta, 5th Auguſt 1786.

" Sir,

" In Compliance with the Requiſition contained in the Letter which I had the Honour to receive from you by the Talbot, on 28th April 1786, dated, " Cheltenham, 18th July 1785," I have now the Pleaſure to tranſmit to you a Letter, &c. addreſſed to the Chairman mentioned in your Letter, or to the Chairman for the Time being, explanatory of the Copies of the Papers which I kept as Memorandums of the Dates, Sums, &c. alluded to in the Account which accompanied your Letter to the Secret Committee of the Honourable Court of Directors of 22d May 1782.—I conceive this to be the moſt eligible Mode of complying with your Requeſt, as it was not tranſmitted to me through the Chairman.

" As the Affidavit which I had taken on a former Occaſion had been commented upon in the Fifth Page of the Eleventh Report from the Select Committee of the Houſe of Commons, ſo as to excite a Suſpicion of my being capable of perjuring myſelf, I could not but deem it neceſſary to refute theſe Inſinuations ere I proceeded to afford * other Aſſertions in regard to the ſame Tranſactions.—I have therefore, in the accompanying Addreſs, detailed thoſe Circumſtances which produced the Neceſſity of that Affidavit; and truſt that I have performed this Commiſſion as much to your Satisfaction as to my own Juſtification.

* Sic in Orig.

" I have the Honour to be,
with the utmoſt Reſpect, Eſteem, and Regard,
Sir,
Your much obliged,
and very affectionate
and faithful Friend,
Wm Larkins."

" Warren Haſtings Eſquire.

The Managers for the Commons ſtated, they ſhould next proceed to another Branch of the Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Martis, 23° *Februarii* 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons informed the Houſe, That in order to eſtabliſh the whole Extent of what they conceived to be the Guilt of the Defendant, it would be neceſſary for them to produce Evidence of what were the Modes of adminiſtring the Revenues of that Country preſcribed to Mr. Haſtings by the Company; what his own Opinion of thoſe Modes was; and to ſhew, that for corrupt, and wicked Purpoſes, he overturned thoſe Eſtabliſhments, and appointed others in their Stead: That they ſhould proceed therefore to produce an Extract of a General Letter to Bengal, dated 7th April 1773.

The Counſel for the Defendant objected to the Production of this Letter for the Purpoſes above mentioned, there being, in the Article now before the Houſe, no Charge againſt Mr. Haſtings for overturning the Eſtabliſhments in queſtion for the Purpoſes of Corruption.

The Managers for the Commons were heard in Anſwer; and ſtated, That the ſame was ſpecifically charged in the Seventh Article.

The Letter was ordered to be read.

Read, from Book 176, already delivered in, the following Extract of a General Letter from the Court of Directors to the Preſident and Council at Fort William in Bengal, dated London, 7th April 1773, beginning at Page 555 of the ſame Book.

Par. 45. " As the ſending our junior Servants into the Provinces as Supraviſors, has not been attended with the wiſhed-for Succeſs, but has enabled them to monopolize the whole Trade of the Country, we therefore direct, That they may be withdrawn as ſoon as poſſible; and we leave it to you to ſubſtitute ſome other Plan for making yourſelves acquainted with the exact Value of every Diſtrict, and for giving Relief to the Inhabitants, till we ſhall be able to ſend you complete Regulations for conducting this important Branch of our Affairs, which we have now under Conſideration. Per Harcourt, Egmont.

(Signed at the End)

" J. Hurlock, L. Sulivan,
George Tatem, Ja. Cockburn,
Edw[d] Wheler, Jn° Michie,
Tho[s] Rumbold, Henry Fletcher,
J. Manſhip, Pet. Laſcelles,
Joſhua Smith, Tho[s] Dethick,
H[y] Crabb Boulton." Cha[s] Boddam,

The Managers for the Commons ſtated, They ſhould next produce the Plan that was formed in conſequence of the Orders juſt read.

Read,

Read, from Book 215 already delivered in, the following Extract of a Conſultation of the 23d November 1773, beginning at Page 3651 of the ſame Book.

" Fort William, the 23d November 1773.

Rev. Dept. Tueſday.

" At a Conſultation; Preſent,
The Honourable Warren Haſtings Eſquire, Preſident;
William Alderſey, Philip Milner Dacres, James Lawrel, Henry Goodwin, John Graham, George Vanſittart, } Eſquires.

Plan for the future Management of the Revenues of Bengal and Bahar.

" The Board having at ſeveral Meetings, ſince the Receipt of the Harcourt's Advices, debated on the various Means which occurred to them for carrying into Execution the Intentions of the Honourable Court of Directors, for the future Controul and Management of the Revenue, and for the Removal of the Collectors from their Stations; and having maturely conſidered and weighed all the Conſequences which may attend every Meaſure that may be adopted, are of Opinion, that the immediate Removal of the Collectors, or the Eſtabliſhment of any conſiſtent and permanent Syſtem, without ſuch preparatory Meaſures as might prevent the bad Conſequences of too ſudden a Change, and gradually introduce a more perfect Form of Superintendancy, would be hazardous to the Collections, and bring at once a greater Weight of Buſineſs on the Members of the ſuperior Adminiſtration than they could poſſibly ſupport.

" On theſe Grounds they do propoſe the following Plans for a future Eſtabliſhment, to be adopted and compleated by ſuch Means as Experience ſhall furniſh, and the final Orders of the Honourable Company ſhall allow.

" 1ſt. That the Diſtricts which form the preſent Collectorſhips ſhall remain with ſuch Variations as ſhall render them more eaſy of Controul, and more ſubſervient to the general Syſtem.

" 2d. That each Diſtrict be ſuperintended by a Dewan or Aumil, except ſuch as have been let entire to the Zemindars, or their reſponſible Farmers, who ſhall in ſuch Caſe be inveſted with that Authority.

" 3d. That a Committee of Revenue be formed at the Preſidency, which ſhall conſiſt of Two Members of the Board, and Three ſenior Servants below Council, for conducting the current Buſineſs of the Collections, in the Manner following:

" 4th. The Committee ſhall meet daily; they ſhall form Reſolutions and Orders for the current or ordinary Buſineſs of the Diſtricts, and prepare weekly or monthly a ſeparate State of each Diſtrict, an Account of the Demands, Receipts, and Balance of each Diſtrict, and a Report of ſuch extraordinary Occurrences, Claims, and Propoſals, as may require the Orders of the ſuperior Council, which are to be laid before them in their Revenue Department.

" 5th. The Dewans ſhall correſpond with the Preſident of the Committee, and the Royroyan, and ſend their Bills, Chelans, and Accounts to them; theſe ſhall be regiſtered in the proper Offices of the Khalſa, and ſuch Tranſlations and Abſtracts made of them as ſhall be neceſſary for the Inſpection of the Committee.

" 6th. All Orders to the Dewans ſhall be tranſlated and written in the Name of the Preſident of the Committee, and the Royroyan, to be ſealed with the Seal of the * Calſa, and ſigned by them.

* Sic in Orig.

" 7th. Occaſional Commiſſioners or Inſpectors ſhall be deputed to viſit ſuch of the Diſtricts as may require a local Inveſtigation.—Theſe ſhall be choſen from the Company's covenanted Servants, not by Seniority, but by the free Election of the Board; they ſhall be Men qualified for this Truſt, by a Knowledge of the Perſian or Indoſtan Language, and by a Moderation of Temper.—An Objection made by a ſingle Member of the Board to any Perſon propoſed, as wanting of theſe Requiſites, ſhall be a ſufficient Bar to his Appointment, without Proofs being required to ſupport it." (*a*)

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 3655 of the ſame Book.

11th. " For the Means of carrying the above Plan into Execution, in ſuch a Manner, and at ſuch Times as may be found moſt convenient for effecting the Purpoſes intended by it; and preventing the ill Conſequences to which the Collections would be expoſed by an unprovident and precipitate Innovation—Reſolved, that the following Plan be immediately adopted, to be, and to be declared to be, only for a temporary Purpoſe, and introductory to the foregoing.

" 1ſt. The Provinces to be formed into the following Grand Diviſions.

" 2d. Firſt Grand Diviſion to be managed at Calcutta, and to conſiſt of, the Calcutta Pergunnahs, Houghly Hedgelee, Myſadel, Tumlook, Nuddea, Jeſſore, Mahmudthy, with the Talucs of Contoonagur, &c. and all Lands belonging to Perſons of Credit, whoſe conſtant Reſidence is in Calcutta. But this is meant only of Lands which are their own Property, not of ſuch as

(*a*) Vide Appendix, N° CXXXIV.

they

they may farm or be Security for; and even in theſe, the Adminiſtration of Juſtice muſt reſt entirely with the Provincial Council in whoſe Diviſion they may be ſituated.

" 3d. Second Grand Diviſion to be managed at Burdwan, and to conſiſt of, Burdwan, Midnapore, Biſſenpore, Patchaet, Beerbhoom, Ramgur, &c. Diſtricts, under the Management of Captain Carnac.

" 4th. Third Grand Diviſion to be managed at Moorſhedabad, and to conſiſt of, Rajeſhahi Eaſtern and Weſtern Diviſions, Rockunpore Collectorſhip, Chunnacolly ditto, Luſhkerpore ditto, Jehanguirepore ditto, Caus Talooks, Rajemahl and Boglepore, including the Annexation lately made to the latter from Mongheer Currickpore, Jungleterry, and Diſtricts under the Management of Captain Brook.

" 5th. Fourth Grand Diviſion to be managed at Dinagepore, and to conſiſt of, Dinagepore, Silberries Purnea, Rungpore, Edſackpore, Baharbund, Toch Beyhar Rangamally.

" 6th. Fifth Grand Diviſion to be managed at Dacca, and to conſiſt of, Dacca, Sylhet, Attya Cogmary, Burbazzoo.

" 7th. Sixth Grand Diviſion to be ſuperintended by the preſent Chief and Council at Patna, and to conſiſt of the whole Province of Bahar, excepting the ſeparated Diſtricts of Mongheer, &c. as above mentioned.

" 8th. The Diſtricts of Chittagong and Tippurah to remain on their preſent Footing, under the Management of a Chief.

" 9th. A Committee of Revenue to be inſtituted at Calcutta for ſuperintending the Firſt Grand Diviſion, to be compoſed of Two Members of Counſel, and Three Senior Servants, under them a Secretary, a Perſian Tranſlator, an Accountant, and Five Aſſiſtants.

" 10th. Councils of Revenue to be formed for ſuperintending the 2d, 3d, 4th, and 5th grand Diviſions, to be compoſed of a Chief and Four Senior Servants, under them a Secretary, a Perſian Tranſlator, an Accountant, and Three Aſſiſtants." (*a*)

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 3665 of the ſame Book.

" It being the profeſſed Intention of the Board to make the Plan now adopted ſubſervient to that which they propoſe for a future and perpetual Syſtem, it is their further Deſign, that whenever the Accounts and Arrangements of any One Diviſion ſhall be ſo regulated and compleated as to enable them to bring the Controul down to the Preſidency, the Provincial Council ſhall be accordingly withdrawn, and either continue to conduct the Buſineſs of the Diviſion at the Preſidency, or transfer it at once to the Committee. By ſuch progreſſive Method an eaſy Change may be effected without the ſmalleſt Hazard of any Loſs or Embarraſſment, at the ſame Time that a Proviſion is made for the Admiſſion of ſuch other Improvements as the Honourable Court of Directors may enjoin, and which would either be precluded by any other Mode, or the new Meaſures which may have been eſtabliſhed muſt be aboliſhed to make Room for them, which would Occaſion freſh Perplexities in the Revenue, and fill the Minds of the People with Apprehenſions of perpetual Changes.

" It has been already remarked, that the great Weight of Affairs with which the Adminiſtration is already loaded, will not admit of the immediate Introduction of the propoſed Syſtem, and it is poſſible that it may ſtill remain a Charge too great for One Body to manage, even with all the Regularity which Time and Experience can give it; but if it ſhould be found ſo, the Collection will be better conducted at the Preſidency by the ſame Provincial Councils, under the preſent Inſpection of the ſuperior Council, than under the ſame Controul within the Diſtricts, becauſe of the dangerous Abuſe which may be made of the perſonal Influence of the Members compoſing thoſe Provincial Councils, and reſident within their Diviſions; neither will their Buſineſs ſuffer by the Diſtance of their Situation, except only in the Caſe of extraordinary Inveſtigations, which may require the Preſence of Individuals, or the Inſpection of Mofuſſit Papers.

" The Allowance which is propoſed by the 24th Article for the Members of the Council, of 3,000 Rupees to each per Month, will amount when the Board is complete to 36,000 per Month, or 4,32,000 per Annum.—It is propoſed that this Sum be paid from a Fund to be raiſed from the Trade of Ophium *, as reſolved on this Day's Proceedings. It will be a reaſonable Compenſation for the Loſs which the Members of the Superior Council may be ſuppoſed to ſuſtain by being excluded from every Benefit of Trade, which they could not exerciſe, however diſpoſed in themſelves, without ſome Degree of Oppreſſion. They will have more Leiſure to attend to the Duties of their Stations, and the Chiefs of the Provincial Councils will be more at Liberty to check and correct any Irregularities of others, being under no Reſtraint on account of their own private Concerns.

* Sic in Orig.

" If it can be ſuppoſed that Men of the firſt Diſtinction in the Service, having accepted of ſuch a Compenſation, ſhould, notwithſtanding, ſo far forget the Principles of Fidelity and Honour, as to engage in any Concerns contrary to this Prohibition, the Jealouſy of their Councils will prove an effectual Bar to ſuch a Deſign, unleſs they ſhould agree in a Colluſion with them, which it would be impoſſible to conceal. The Confidence which our Employers have generouſly repoſed in our Attachment to their Service, renders it more particularly our Duty to expreſs our Senti-

(*a*) Vide Appendix, N° CXXXIV.

ments on a Subject of ſuch Importance without Reſerve, although our Declarations may admit of a Miſconſtruction againſt ourſelves as Men. The Servants of the Company are not exempted from the Frailties and Wants of Humanity. If allowed the Liberty of Trade while they poſſeſs an unbounded Power, (and who ſhall bind thoſe who conſtitute the Government itſelf?) their Trade will be a Monopoly and an Oppreſſion.—If forbidden to trade without ſome Reparation for the Loſs, and ſome allowed Means of acquiring a Livelihood, and even the Proſpect of a Competency, the feeble Words of a publick Edict will not hold them, but they will, with little Scruple, break through them, and obtain thoſe Ends by unallowed Means, becauſe they will think that a Decree which impoſes upon them the Neceſſity of perpetual Penury could not have been really intended for their rigid Obſervance; ſuch having been, in many Inſtances, the fatal Practice of this Service.—We ſay fatal, becauſe Laws and Reſtrictions which have no Coercion, and bear too hardly on the Paſſions for the common Sufferance of Mankind, inevitably defeat their own Purpoſe; they become totally diſregarded, nor is it deemed an Impeachment of Morality to tranſgreſs them. And it is a Conſequence as infallible, that when Men are once allowed to paſs the Line of their proſcribed Duty at their own Option, they will, by Degrees, extend the Latitude to the furtheſt Extremes of Corruption, Embezzlement, and Rapine.

Signed at the End of the Conſultation,

" Warren Haſtings,
W. Alderſey,
P. M. Dacres,
James Lawrell,
H. Goodwin,
J. Graham,
George Vanſittart." (*a*)

The Managers for the Commons ſtated, They ſhould next proceed to ſhew that the above Plan was approved of by the Court of Directors; and their Orders, That if any new Plan ſhould be neceſſary to be formed, it ſhould be previouſly tranſmitted to the Company for their Approbation.

Read, from Book 58, already delivered in, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated the 3d of March 1775, beginning at Page 459 of the ſame Book.

Par. 73. " The Diviſion of the Provinces into Six large Diſtricts, as ſettled by the Council of Revenue, appears to us a judicious Arrangement; but as our Governor and Council have declared it only a preparatory Meaſure to a more permanent Syſtem, we muſt leave the Accompliſhment of ſuch Syſtem to your Judgment and Prudence, ſubject however to our final Approbation or Diſallowance.

(Signed at the End)

" George Tatem,
Pet. Laſcelles,
Joſeph Sparkes,
John Smith,
W. G. Freeman,
R^d Hall,
J. Stables,
Edwd Wheler,
John Harriſon,
Jn° Woodhouſe,
Wm James,
Fred. Pigou,
T. B. Rous,
Chas Boddam."

Read, from Book 108 already delivered in, the following Extract of a General Letter from the Court of Directors to the Governor-General and Council, at Fort William in Bengal, dated London, the 5th April 1776, beginning at Page 133 of the ſame Book.

Par. 11. " We for the preſent confirm the Appointments of Your ſubordinate Councils of Revenue, with their Salaries and Allowances for Houſe Rent, as ſtated on your Proceedings. But we recommend it to you to conſider attentively, whether thoſe Boards are capable of anſwering the Purpoſes intended by their Inſtitution; and particularly, whether by a conſtant Reſidence in any One Part of a Diſtrict, ſo large as thoſe into which the Provinces are now divided, they * they will be able ſo to ſuperintend the Objects committed to their Care, as to prevent the Company's Revenues from ſuffering improper Diminution, and the Natives from being oppreſſed by undue Exactions.

* Sic in Orig.

(Signed at the End)

" Fred^k Pigou,
Hen^y Savage,
H. Fletcher,
W. Devaynes,
Jn° Michie,
Wm James,
Robt Gregory,
John Harriſon,
John Roberts,
Ja^s Moffat,
Edwd Wheler,
Nathl Smith,
John Woodhouſe,
J. Stables."

(*a*) Vide Appendix, N° CXXXIV.

Read,

Read, the following Extract of a Letter from the Court of Directors to the Governor General and Council, at Fort William in Bengal, dated London, 5th February 1777, beginning at Page 408 of the ſame Book.

Par. 19. " If you are fully convinced that the Eſtabliſhment of Provincial Councils has not anſwered, nor is capable of anſwering the Purpoſes intended by ſuch Inſtitution, we hereby direct you to form a new Plan for the Collection of the Revenues, and to tranſmit the ſame to us for our Conſideration." (*a*)

The Managers for the Commons ſtated, They ſhould next proceed to ſhew, that Mr. Haſtings continued his Approbation of his own Plan.

Read, from Book 216 already delivered in, the following Extract of a Conſultation of the 25th October 1774, beginning at Page 7 of the ſame Book.

" Fort William, the 25th October 1774.

Secret Dept. Tueſday.

" At a Council; Preſent,

" The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" The General Mode which is at this Time eſtabliſhed for the Management of the Collections, is as follows:—The Provinces are formed into Six Diviſions, each comprehending ſeveral inferior Diſtricts, under the Direction of a Chief and Council; theſe receive their Orders from the Board at large, and report to them their Proceedings in a ſeparate Department, called " A Council of Revenue;" and for the greater Facility of diſpatching Buſineſs with the Inhabitants, and for the Preſervation of the ancient Forms and Rules of Office, a Dewan, or Miniſter of the Revenue, is appointed to each Diviſion, who is joined to the Provincial Council, and keeps all the Accounts and Records of the Country Languages: Native Superintendants are alſo appointed to each Diſtrict of the Provincial Diviſions, with the Title of Naibs, and correſpond with the Provincial Councils and Dewans. The Dewans alſo tranſmit their Accounts and Proceedings to an Office of ancient Inſtitution, lately transferred from the City of Moorſhedabad to Calcutta, named " The Khalſa," which is under the Charge of an Officer, intitled, " The Royroyan," who occaſionally ſits at the Meetings of the Council of Revenue, and is the Channel of Communication between the Board and the Dewans, tranſmitting to the latter the Counterparts of the Orders of the Board which are ſent to the Provincial Councils, and receive their Anſwers. The Exceptions to this general Syſtem are the Province of Chettagong, which, from its remote Situation, and ſmall Revenue, has been left under the ſingle Charge of the Chief of the Factory and the Diſtricts of Pallamow and Ramgur under Captain Carnac, and of the Jungulterry of Curruckpore, &c. under Captain Browne. Theſe may be properly termed Military Collectorſhips. They are compoſed of the wild and mountainous Parts of the Country, which have been lately reduced to a State of Subminſſion to Government, and require the continual Preſence of a military Force to keep them in Subjection. The Revenue which they yield is inconſiderable; but the Poſſeſſion of them is a Security to the Peace of the cultivated and more civilized Lands in their Neighbourhood, which, till their Reduction, were continually expoſed to the Ravages of the wild and lawleſs People inhabiting them. With theſe military Collectors the Correſpondence was carried on by the Governor only; but according to the Inſtructions now received from the Company, it ſeems requiſite that it ſhould in future be conducted by the Council at large.

" The Plan of the general Eſtabliſhment for conducting the Revenue, and the Records explaining the Appointment, Object, and Progreſs, of the military Collectorſhips, will be found in the following Conſultations and Papers." (*b*)

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 10 of the ſame Book, as follows.

" I muſt beg Leave to conclude this Subject with earneſtly offering my Advice for the Continuation of this Syſtem in all its Parts, with ſuch Alterations only as the late Change in the Government has rendered indiſpenſibly neceſſary. Innovations are always attended with Difficulties and Inconveniences: Innovations in the Revenue, with a Suſpenſion of the Collections, and a Change, at this Seaſon of the Year, would be particularly dangerous, as the Time of the heavieſt Payments is now approaching. For the ſame Reaſon, your ſpeedy Determination upon the future Mode of managing and collecting the Revenues would prove of eſſential Service.

" The Court of Directors have been adviſed of the Formation of this Eſtabliſhment, in Conſequence of the Orders tranſmitted to us in their Letter of the 7th April 1773; and we may ſhortly hope to be furniſhed with their final Determination concerning it. I muſt likewiſe recommend the Continuance of the Separation which was originally made of the Revenue Department from the other Offices of the Government, as the only Means by which it can be regularly conducted;

(*a*) Vide Appendix, N° CXXXV.

(*b*) Vide Appendix, N° CXXXVI.

and

* Sic in Orig. and as there is no Branch of the Company's Affairs * in which their Intereſts ſo eſſentially depend, I propoſe that the Council do aſſemble for the Conduct of it in the ſame Manner as was practiſed by the late Council of Revenue. (*a*)

Signed at the End of the Conſultation,

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Richard Barwell,
P. Francis."

Read, from Book 177, already delivered in, the following Extract of a Plan propoſed by the Governor General and Mr. Barwell for the future Settlement of the Revenue, dated Fort William, 28th March 1775.

" With reſpect to the Mode of managing the Collection of the Revenue, and the Adminiſtration of Juſtice, none occur to us ſo good as the Syſtem which is already eſtabliſhed of Provincial
* Sic in Orig. Councils, as explained in the Revenue Conſultations of the *

" We are under ſome Apprehenſion however, leſt the Members of theſe ſhould divide into Parties, and ſo the Currency of Buſineſs be impeded, and Diſputes engroſs the Time which ought to be employed in a minute Attention to the Detail of their Duty, and to Diſpatch, which is the Life of the Collections: It is the natural Conſequence of Diſſentions in the ſuperior Council, and our conſtant Care will be required to prevent it. (*b*)

Signed at the End, " Warren Haſtings,
Richd Barwell."

The Managers for the Commons ſtated, That they ſhould next produce the Defendant's Recommendation to the Court of Directors, that the above Syſtem might be carried more completely into Effect by an Act of Parliament.

Read, from Book 217 already delivered in, the following Extract of a Letter from the Governor General and Mr. Barwell.

" To the Honourable the Court of Directors, &c. dated Fort William, 31ſt April 1776.

" Honourable Sirs,

" The accompanying Sheets contain the Draught or Scheme of an Act of Parliament, formed on the Plan, which we had the Honour to tranſmit to you in Duplicate by the laſt Diſpatches, for the better Adminiſtration of Juſtice in theſe Provinces, and drawn up at our Inſtance by the Chief Juſtice. (*c*)

Signed, " Warren Haſtings,
Richd Barwell."

Read, alſo, from the ſame Book, the following Extract of a Scheme of an Act of Parliament, for the better Adminiſtration of Juſtice in the Province of Bengal.

" A Bill for the better Government of the Kingdom, or Provinces and Countries under the Government and Controul of the Governor General and Council of Fort William, in Bengal; and for the Adminiſtration of Juſtice therein.

Clauſe 37. " Be it enacted by the Authority aforeſaid, That the ſaid ſeveral Diviſions and Diſtricts reſpectively, be hereafter called by the Names the ſaid Diviſions and Diſtricts now bear and are known by; that the ſeveral Cities, Towns, Villages, and Countries, by the ſaid Preſident and Council included within the ſaid Diviſions and Diſtricts reſpectively, do for ever remain included in the ſaid Diviſions and Diſtricts to which they have been ſo allotted, and be for ever hereafter conſidered reſpectively as Part and Parcel thereof.

Clauſe 38. " And be it enacted by the Authority aforeſaid, That there be erected and eſtabliſhed, and there is hereby erected and eſtabliſhed, within each of the Diviſions aforeſaid reſpectively, One Court of Record and of Revenue; which ſaid Court ſhall ſeverally and reſpectively be called, The Court of Provincial Council of Calcutta, The Court of Provincial Council of Moorſhedabad, The Court of Provincial Council of Burdwan, The Court of Provincial Council of Dacca, The Court of Provincial Council of Dinagepore, The Court of Provincial Council of Patna, and The Court of Provincial Council of Chittagong. (*d*)

(Signed at the End) " Warren Haſtings,
Richd Barwell."

The Managers for the Commons ſtated, That having now ſhewn what was the Opinion of the Court of Directors and of Mr. Haſtings, with reſpect to the Mode of admi-

(*a*) Vide Appendix, N° CXXXVI. (*b*) Vide Appendix, N° CXXXVII.
(*c*) Vide Appendix, N° CXXXVIII. (*d*) Vide Appendix, ibid.

niſtering

niſtering the Revenue through the Intervention of Europeans, they ſhould next proceed to ſhew the Orders given by the Court of Directors, and the Opinion of Mr. Haſtings, with reſpect to the Perſons who ought to have Poſſeſſion of the Lands, in order to pay a Revenue to the Company.

Read, from Book 108 already delivered in, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated London, 31ſt January 1776, beginning at Page 29 of the ſame Book.

21. " Your Advices reſpecting Banyans holding of Lands, and Chiefs of Councils interfering in Farms, have alarmed us exceedingly; and although we are not prepared by this Diſpatch, to give our Sentiments fully on the Syſtem of letting the Lands, we cannot paſs this Subject over unnoticed. Per Prince of Wales, London, Lioneſs, and Shrewſbury.

22. " We are ſorry to obſerve, that many uſeful Regulations eſtabliſhed by the Council of Revenue, and Committee of Circuit in 1772, have been totally diſregarded. The following Abſtracts of their Proceedings compared with ſubſequent Tranſactions, verify this Obſervation, and convince us that thoſe Regulations have been groſsly evaded, and to an enormous Extent.

23. " By the 17th Article of thoſe Regulations, Banyans, and other Servants of the Collector, of whatever Denomination, are totally precluded from holding any Concern, directly or indirectly, in any Farm; and if any Perſon under a falſe Name, or by any Kind of Colluſion, evades this Regulation, he is to be ſubject to an heavy Fine, and to forfeit his Farm; and if the Collector connive at a Breach thereof, he ſtands ipſo facto diſmiſſed from his Collectorſhip; and no European is permitted, directly or indirectly, to rent Lands in any Part of the Country.

24. " The Obſervations of the Committee of Revenue on this Regulation are, That if Collectors, or any Perſons who partake of their Authority, are permitted to be the Farmers of the Country, no other Perſons will dare to be their Competitors; that of courſe they will obtain the Farms on their own Terms; that it is not fitting for the Servants of the Company to become Dealers with their Maſters;—that Collectors are Checks on the Farmers, but if they themſelves turn Farmers, no Checks can be found for them;—that the Company will not have any Security for their Property, nor the Ryots be able to obtain Relief againſt Oppreſſions.

25. " In 1773 the Collectors of Revenue were recalled, and the Office was executed by a Chief and Council.

26. " If it was thought dangerous to permit the Banyan of a Collector to be concerned in Farms, we muſt conclude, that the ſame or ſtronger Objections will always lie againſt the Governor's Banyan being thus concerned; and we direct that you enforce the ſaid 17th Regulation.

27. " By the 11th Article of the ſaid Regulations it is ſtipulated, that the Farmer's Payments to Government ſhall be aſcertained and eſtabliſhed, and no Demand made upon him, over and above the Sum expreſſed in the Rent Roll delivered him with his Leaſe.

28. " The Reaſoning of the Committee on this Article appears very excellent; but to our Concern we find ſo little Regard paid thereto, that 125,500 Rupees per Annum have been demanded, and upwards of 98,000 Rupees received upon Two inconſiderable Farms, independent of the Agreement made with the Company, and claimed by our Servants as a perquiſite of Office, or Emolument of Station.

29. " Whatever may be our final Determination on theſe Proceedings, it is our poſitive Command, that no Perſon in our Service do preſume to aſk, accept, or receive, directly or indirectly, any Gift, Gratuity, Reward, or Benefit, from any Farmer of our Lands or Revenues, or on Account of any Farm, contrary to the true Intent and Meaning of the ſaid 11th Article above mentioned.

30. " It is alſo our expreſs Direction that Pottahs be regularly prepared and delivered to the Ryots, and that the Farmer do not receive more from the Ryot than the ſtipulated Amount of his Pottah; according to the 10th Regulation.

31. " You will take Care that the Second Article be ſtrictly obſerved, and that no Farmer be permitted to rent Lands to a greater Amount than 100,000 Rupees, hereditary Zemindars excepted; and except alſo there ſhall be an evident Neceſſity for departing from this Rule to prevent Confuſion or Inconvenience, which may be occaſioned by the Subdiviſion of Pergunnahs.

Signed at the End, (*a*)

" W. Devaynes, John Harriſon,
Nath[l] Smith, John Roberts,
W. G. Freeman, Fred[k] Pigou,
Peter Laſcelles, Jn. Woodhouſe,
Geo. Wombwell, W[m] James,
Edw[d] Wheler, Dan[l] Wier,
George Cuming, J. Stables,
Ben. Booth, Jn[o] Michie,
Ja[s] Moffat, Cha[s] Boddam,
Rich[d] Becher."

(*a*) Vide Appendix, N° CXXXIX.

Read, alſo, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, the 24th of December 1776, beginning at Page 300 of the ſame Book.

Par. 41. " Having conſidered the different Circumſtances of letting your Lands on Leaſes for Lives, or in Perpetuity, we do not, for many weighty Reaſons, think it at preſent adviſeable to adopt either of theſe Modes; but in the mean while, we direct that the Lands be let for the ſucceeding Year on the moſt advantageous Terms, and that none be in future let by publick Auction.

42. " But in every Diſpoſal of the Lands, it is our ſtrict Injunction, that a Preference be given, and every Indulgence ſhewn, to the Natives reſident on the Spot; and that no European, nor the Banyan of any European, be permitted to hold any Share therein: from which Injunction we, however, except the Jungleterry, or Corry Jury Lands, where the ſuperior Knowledge of our own People may be of great Service, by clearing ſuch Parts as lie uncultivated, and where ſuch Miſchiefs are not likely to be produced as are too generally found to attend the Meaſure of letting Lands to Europeans.

43. " We direct, that Demands be made on the reſpective Landholders for all outſtanding Balances or Arrears of Rent; and that every juſt and proper Step be taken to realize ſuch Sums as may ſtand an apparent Value on our Books: But if it ſhall appear, from ſuch Circumſtances as require Lenity, that theſe Balances cannot be collected, the Whole, or Part thereof, may be remitted; for which we muſt depend on the Judgment and Diſcretion of our Governor General and Council, whoſe local Knowledge will beſt enable them to decide with Accuracy and Preciſion. (*a*)

Signed at the End,

" John Stables, John Roberts,
Fred^k Pigou, Wm James,
R^d Hall, Daniel Wier,
W. G. Freeman, Robt Gregory,
Ja^s Moffatt, George Tatem,
Richd Becher, George Cuming,
Samuel Peach,
John Harriſon."

Read, alſo, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, the 5th February 1777, beginning at Page 398 of the ſame Book.

11. " The Diſtance of many Diſtricts from Calcutta will render it neceſſary for Zemindars or Farmers to treat with Provincial Councils, or other Agents of the Company on the Spot; but it is our Order, that no Agreements for Lands or Revenues, wherein the ſtipulated Amount ſhall exceed * Rupees, be finally concluded, until reported to, and authorized by the Governor General and Council.

* Sic in Orig.

12. " Having revoked our Orders to let the Lands to the higheſt Bidders, and ſignified our Pleaſure to have them occupied by hereditary Zemindars, where it can be done with Security to the Revenue; and being deſirous that they ſhould enjoy their Zemindaries on Terms ſufficiently moderate to enable them to maintain a Degree of Reſpect amongſt their Dependants, we direct, that you keep this Idea in View in every Agreement to be made with the ſaid Zemindars. We cannot, however, empower you to make a general Reduction or Abatement of any ſpecific Sum upon the whole Jummah; but rather wiſh you to be guided, in ſuch Reductions where they are abſolutely neceſſary, by an Enquiry into the Amount of Mhatutes, Aboabs, or additional Taxes or Collections of any Kind, impoſed upon the Diſtricts ſince the Company's Acceſſion to the Duanny, and to aboliſh the Whole, or ſuch Part thereof as ſhall fully appear to be an Oppreſſion upon the Country. (*b*)

(Signed at the End)

" Hen^y Savage, John Roberts,
Ja^s Moffatt, Wm James,
Thos Rumbold, Fred^k Pigou,
T. B. Rous, J. Stables,
John Smith, George Tatem,
Ben. Booth, George Cuming,
G. Wombwell, R^d Hall,
Joſeph Sparkes, Samuel Peach."

(*a*) Vide Appendix, N° CXL.

(*b*) Vide Appendix, N° CXLI.

Read,

Read, alſo, further Extract from the ſame Letter, beginning at Page 403 of the ſame Book.

Par. 15. "Although we do not for the Preſent think it expedient to lett the Lands on Leaſes for Lives, or on Terms more permanent than thoſe already ſpecified, it is nevertheleſs our earneſt Deſire to impreſs the Zemindars and Rentors with a full Confidence in the Juſtice of our Proceedings, and particularly to convince them, that while they behave with Honour to us, and with Kindneſs to their Under Tenants and Cultivators, they ſhall moſt certainly experience our Favour; and that nothing but a contrary Conduct can ever ſubject them to our Diſpleaſure. We therefore direct, that wherever Lands have been lett at a reaſonable Rent, and the Zemindar or Rentor has fulfilled his Engagement to your Satisfaction, no ſuch Perſon be diſpoſſeſſed of Lands, or compelled to pay an advanced Rent, without the moſt ſubſtantial Reaſons for ſuch Advance, and even then he ſhall have the Preference of all others, and be ſuffered to continue at a moderate additional Rent. But in all Inſtances where ſuch increaſed Value ſhall not be conſiderable enough to become an Object of Conſequence to Government, no Zemindar or Rentor ſhall be diſpoſſeſſed or moleſted, but permitted to enjoy the Fruits of his Induſtry and Improvements, and to renew his Leaſe or Agreement from Year to Year without any Increaſe of Rent." (*a*)

Read, alſo, the following Extract of a General Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, the 4th July 1777, beginning at Page 753 of the ſame Book.

Par. 36. "In our Letter of the 5th of February 1777, we expreſſed our Apprehenſions, that a ſudden Tranſition from One Mode to another in the Inveſtigation and Collection of our Revenues, might have alarmed the Inhabitants, leſſened their Confidence in our Proceedings, and been attended with other Evils; yet as we were led to hope that ſuch Information had been obtained, as would enable us to aſcertain with a ſufficient Degree of Preciſion, what Revenues might be collected from the Country without oppreſſing the Natives, we felt ſome Satisfaction in conſidering thoſe Evils as at an End, and proceeded to give ſuch Inſtructions as appeared to us neceſſary for your Guidance in a future Settlement of the Lands.

37. "In this State of the Buſineſs our Surpriſe and Concern were great, on finding by our Governor General's Minute of 1ſt November 1776, that after more than Seven Years Inveſtigation, Information is ſtill ſo incomplete as to render another Innovation, ſtill more extraordinary than any of the former, abſolutely neceſſary, in order to the Formation of a new Settlement.

38. "In 1769, Superviſors were appointed profeſſedly to inveſtigate the Subject; in 1770, comptrolling Councils of Revenue were inſtituted; in 1772, the Office of Naib Duan was aboliſhed, Natives were diſcarded, and a Committee of Circuit formed, who, we were told, preciſely and diſtinctly aſcertained what was neceſſary to be known; and now, in 1777, Two junior Servants, with the Aſſiſtance of a few Natives, are employed to collect and digeſt Materials, which have already undergone the Collection, Inſpection, and Reviſion of ſo many of our Servants of all Denominations. We by no Means diſapprove the Attempt to obtain further Information, if it be neceſſary; but are ſorry that the Conduct of the Majority of the Council on the Occaſion has been ſuch as muſt have our utter Diſapprobation. (*b*)

(Signed at the End)

"Henry Fletcher, Rd Hall,
John Smith, Samuel Peach,
John Harriſon, George Cuming,
Chas Boddam, Thomas Rumbold,
Geo. Wombwell, John Michie,
W. Devaynes, Richd Becher,
J. Purling, George Tatem,
Fredk Pigou, Joſeph Sparkes,
John Roberts."

Read, alſo, a further Extract from the ſame Letter, beginning at Page 759 of the ſame Book, as follows:

43. "And, as to arranging the Materials when tranſmitted to Fort William, if the Experience of the Officers of the Khalſa has not rendered them capable of executing a Work of this Nature more ſpeedily, and to greater Advantage than Two Strangers, be their Abilities what they may, we muſt declare them unfit for their Employments.

44. "The Roy Royan was the regular Channel of ſuch Communications as require the Interpoſition of a Native, and not Gunga Govind Sing, whoſe Diſmiſſion from the Calcutta Committee had rendered him an improper Perſon to tranſact Affairs of ſuch Moment to the Company.

(*a*) Vide Appendix, N° CXLI.

(*b*) Vide Appendix, N° CXLII.

45. "The

45. " The Superintendant of the Khalſa Records and Perſian Tranſlator are unworthy their Offices, if unable to direct the Arrangement of Papers ſo immediately connected therewith; and as we conſider the Preparation of Materials, upon which a General Rent Roll of the Provinces muſt be formed, as interfering moſt eſſentially with the ordering and Management of the Revenues, we muſt be of Opinion that the Members of our Council could not legally relinquiſh their Power of immediate Inſpection and Superintendance of thoſe Materials in the Firſt Inſtance, nor delegate a ſeparate Power of future Controul in the Degree, and to the Extent now veſted in the Perſon of the Governor General, becauſe, though there might be no Reaſon to expect unfair Proceedings in the preſent Caſe, it was abſolutely neceſſary to guard againſt the Poſſibility of enabling the Governor General to ſuppreſs or reject Papers or Accounts which might be deemed neceſſary Inſtruments of Information by other Members of the Council.

46. " In Regard to the Idea of deputing Natives on occaſional Inveſtigations, we are really aſtoniſhed at ſuch a Propoſition. If a Committee of Circuit and Council of Revenue, compoſed of the moſt intelligent and reſpectable Characters in our Service, and armed with all the Power of the Preſidency, have failed in their Attempts to obtain neceſſary Information, from whence are theſe Natives to procure it? And if Colluſions have been practiſed by Members of Adminiſtration when deputed into the Diſtricts, what Reaſon have we to expect that the Conduct of native Deputies, who cannot be ignorant of former Tranſactions, will be found more unexceptionable than that of their Superiors? It will certainly be allowed that they are liable to great Temptations, becauſe their Report muſt determine, in ſome Degree at leaſt, the Amount of Revenue to be taken from thoſe Diſtricts which are to be the Subjects of their Inveſtigation.

47. " The Minutes of General Clavering and Mr. Francis leave us little to add on this diſagreeable Subject. Their Reaſons againſt delegating a ſeparate Power of Controul to the Governor are ſolid and judicious, and we are happy in declaring that their Conduct on the Occaſion meets with our Approbation." (*a*)

Read, from Book 221 already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in *Bengal, dated 23d December 1778,* beginning at Page 625 of the ſame Book.

Par. 130. " In our Letter of the 24th of December 1776, you were acquainted that, for many weighty Reaſons, we did not then think it adviſable to authorize you to let the Lands of the Provinces on Leaſes for Lives, or in Perpetuity: The ſame Reaſons ſtill operate. We therefore direct, that you relet the Lands, from Year to Year, on the moſt advantageous Terms procurable, except by public Auction, until you ſhall be duly authorized and impowered by the Court of Directors to adopt another Syſtem; and we further direct, that you alſo continue to make the Letter and Spirit of our Orders of the 5th of February 1777, the Rule of your Proceedings on this important Subject.

Signed " R^d Hall, Wm Mills junior, J. Stables, Thos Cheap, W. Devaynes, W. G. Freeman, Robt Gregory, John Smith, G. Wombwell, Wm James, L. Sulivan, Jno Woodhouſe, Jno Michie, Joſeph Sparkes, John Roberts, H. Fletcher, Samuel Peach."

The Managers for the Commons ſtated, They ſhould next proceed to lay before the Houſe, certain Opinions of Mr. Haſtings relative to the Matter contained in the above Orders of the Court of Directors, in order to ſhew that every Order given by them was afterwards diſobeyed in 1781.

Read, from Book 210, already delivered in, the following Extract of a Conſultation of the 11th March 1775, beginning at Page 1007 of the ſame Book.

" Fort William, the 11th of March 1775.

" At a Council; Preſent,

Rev. Dept. Saturday.

The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
Lieutenant General Clavering,
The Honourable George Monſon,
Richard Barwell, Philip Francis, } Eſquires.

Governor General's Motion for the ſeparate Opinions of the Members on

" The Governor moves, That the ſeparate Opinions of the Members of the Council be taken and ſent to England with the laſt Diſpatches of this Seaſon, concerning the Mode which each ſhall judge it moſt expedient to adopt for the new Settlement of the Provinces after the Expiration of the preſent Leaſes, that the Honourable Court of Directors may be furniſhed in due time with

(*a*) Vide Appendix, N° CXLII.

complete

complete Materials to enable them to tranſmit their deciſive Orders upon this important Subject. the future Settlement of the Provinces.

Signed at the End of the Conſultation,

" Warren Haſtings,
J. Clavering,
Richd Barwell,
P. Francis."

Read, from Book 177, already delivered in, the following Letter from the Governor General and Mr. Barwell to the Court of Directors, dated the 28th March 1775, and incloſing a Plan for the future Settlement of the Revenue.

" To the Honourable the Court of Directors for the Affairs of the Honourable United Company of Merchants of England trading to the Eaſt Indies.

" Honourable Sirs,

" In conſequence of a Reſolution paſſed at the Board of Revenue on the 11th inſtant, we have drawn up, with as much Accuracy as our joint Experience and the narrow Compaſs of Time allowed us, in the Midſt of other preſſing Avocations, would permit, a Plan for the future Settlement of the Revenue, which we have the Honour to tranſmit you encloſed.

" We have committed the Charge of this Addreſs to Captain Tryon, having concluded it too late for the Packet.

" We are, with great Reſpect,
Honourable Sirs,
Your moſt obedient and moſt faithful Servants,

" Fort William,
28th March 1775.

Warren Haſtings,
Richd Barwell."

Read, from the ſame Book, the Plan propoſed by the Governor General and Mr. Barwell for the future Settlement of the Revenue, as follows:

§ 1. (" A Plan for a future Settlement.

" From the Company's Acquiſition of the Dewannee, it had been cuſtomary to make an annual " Settlement of the Revenue of the ſeveral Diſtricts of Bengal. The principal Zemindars, and " alſo the Chief People of the Country, aſſembled at the City at the holding of the Pooniâh in " the Months of April and May. A Settlement was then concluded in ſome Places with the Zemindars themſelves, in others with Perſons who were appointed to the Charge of the Collections, " under the Names of Aumils. Theſe Aumils having each executed an Agreement to pay a " certain Sum of Money into the Treaſury of Moorſhedabad, according to the ſtated Periods " ſpecified in the Kiſtbundy, were ſent into the Country to form the Muſſuſul Settlement, and " carry on the Collections as they judged moſt expedient for realizing the Revenue for which they " had engaged.

" On the Appointment of the Company's covenanted Servants as Collectors, a Meaſure which " took Place in 1770, and on repeated Complaints of the Oppreſſions, which had been committed " by the Aumils, the Engagements with them were in general diſcontinued, and it was left to the " Collectors to make a Settlement, for the moſt Part for One Year, in their ſeveral Diſtricts, on " the beſt Terms they could obtain.

" In 1771 another One Year's Settlement was made, partly by the Collectors, and partly by " Members deputed by the Council of Moorſhedabad. When the Management of the Revenues " was the Subject of the Deliberations of the Board in the Year 1772, it was unanimouſly agreed, " that the Syſtem of an annual Settlement was not calculated for the Proſperity of the Country; and " the yearly Attendance of the Zemindars at the City was deemed an unneceſſary Expence, which " ultimately fell upon the Company.

" A Man of little or no Property being appointed an Aumil, executed an Engagement to pay " 10 or 15 Lacks of Rupees, was inveſted with full Authority for collecting it, and had no Intereſt " in the Welfare of the Diſtrict any longer than for the ſingle Year of his Appointment. The " Settlements which were made with the Zemindars themſelves were in like Manner for One " Year only. If the Lands went to Decay, the next Year's Revenue was proportionably " augmented.

" Arguments are not neceſſary to prove that ſuch a Syſtem muſt naturally produce Oppreſſion, " and be a Check to the Cultivation of the moſt valuable Articles of Huſbandry. It was reſolved " to let out the Country on Leaſes of Five Years, that the Farmers might be induced, by Motives " of Self Intereſt, to attend to its Improvement. They were granted to ſuch reſponſible Perſons " as offered the moſt advantageous Terms; a Preference being reſerved to the Zemindars, in caſe " their Propoſals were equal to others. Under this Syſtem of farming the Burdwan Province had " been greatly improved, and its Value aſcertained, ſince its Ceſſion to the Company.

" It was hoped that the ſame good Effects would be produced in the reſt of Bengal.

" The aſcertaining of the Value of the ſeveral Diſtricts has been ſufficiently accompliſhed; but " we will not ſay the deſired Improvement has in general taken Place. It has been chiefly ob- " ſtructed by a Circumſtance which could not be foreſeen; we mean, the Farmers having * having " engaged for a higher Revenue than the Diſtricts could afford.

* Sic in Orig.

" The following is the Plan which we recommend to be adopted at the Expiration of the " preſent Leaſes.

" 1ſt. That all new Taxes which have " been impoſed upon the Ryots in any " Part of the Country ſince the Com- " mencement of the Bengal Year 1172 " (or 1764 and 5), being the Year in " which the Company obtained the De- " wanny, be entirely aboliſhed.

" 1ſt. Whenever any Occaſion has ariſen, or any " Pretence been found to levy a new Tax upon the " Ryots, it has been the Cuſtom of the Zemindars " and Aumils to continue to collect it, whether the " Occaſion has remained or not. By this Means " their Rents have been conſtantly encreaſing. This " has been an immediate Diſtreſs to the Ryots, and " muſt have ultimately affected the Manufacturers " and all other Ranks of People, by raiſing the " Prices of the ſeveral Articles produced by the La- " bour of the Ryots.

" The Abolition we conceive would be an imme- " diate Eaſe to the Ryots, would give Life to In- " duſtry, and would tend to lower the Prices of the " Bengal Manufactures.

" A few of the lateſt Impoſitions were aboliſhed " by the Committee of Circuit when they formed " the Five Years Settlement; but the then Cir- " cumſtances of the Company did not admit of " their taking any Meaſures which would have been " attended with an immediate Diminution of a more " conſiderable Part of the Revenues.

" The Amount of the Taxes impoſed ſince the " Acquiſition of the Dewanny will hardly be leſs " than 15 Lacks of Rupees. We do not imagine " that any Part of Bengal has been exempted from " them, except perhaps the Diſtrict of Burdwan " and the 24 Purgunnahs. This Accumulation of " Taxes was practiſed to a ſtill greater Degree in " the 10 or 15 Years preceding the Company's De- " wanny than it has ſince; but it would be difficult " to aſcertain them exactly at ſuch a Diſtance of " Time, and their Abolition would occaſion a greater " immediate Loſs than could be afforded.

" Subſidiary Regulations* will be neceſſary to " ſecure the Ryots in the Engagement of the Relief " propoſed for them; theſe would be eaſily formed " if the Plan itſelf were approved. It is unneceſſary " to enter into a Detail of them at this Time.

" 2d. That the 24 Purgunnahs be ſold " as Zemindarries by public Auction, in " Lots, not exceeding a Jumma, or Rent- " roll, of 20,000 or 30,000 Rupees a " Year.

" 2d. The Sale would raiſe a large Sum of Mo- " ney, and there is no Doubt that the Lands would " be greatly improved in the Hands of Zemindars " on the permanent Footing which we have recom- " mended. It would then be their Intereſt to attend " to the Cultivation of the moſt valuable Articles of " Huſbandry, which require Time to bring them to " Perfection, and to ſubmit to preſent Expences for " the ſake of future Profit. We would recommend " too, that Europeans be allowed to be Purchaſers, " provided they could be made amenable to the Re- " venue Courts, and ſubject to the ſame Regulations " as the Natives with Reſpect to the Payment of " their Rents and the Treatment of the Ryots. Being " of a more enterpriſing Spirit than the Natives, " they would be more likely to introduce new Ma- " nufactures, and even to import an Acceſſion of " Inhabitants from foreign Countries, and they would " in Time become an Addition of Strength to the " Britiſh Empire in India.

" In

" In the Regulations laid down for the Settlement " of 1772 we concurred in a contrary Propoſition; " becauſe at that Time the Mayor's Court and the " Courts of Seſſion, to which alone Europeans were " amenable, had no Juriſdiction beyond the Limits " of Calcutta or the Factories of Trade, although " they had a ſure Appeal to the Mayor's Court for " any Acts of Government paſſed againſt them. " This Defect in the Authority of Government has " been effectually removed by the Inſtitution of the " ſupreme Court of Judicature.")

☞ [3d. That the Revenue to be paid by the Purchaſer be ſettled at the Medium of what was collected in the Three preceding Years, with an Allowance of 15 per Cent. deducted for the Charges of Collections, and their Profits.

[3d. We reckon the Charges of Collection at 5 per Cent.; and 10 per Cent. is their juſt Profit as Zemindars. If any Taxes have been impoſed ſince the Commencement of 1772, theſe muſt be deducted before the future Revenue is ſettled. Aumeens ſent into the Purgunnahs immediately on the Expiration of the preſent Leaſes, would probably aſcertain the Collections without Difficulty, as there would be no one intereſted to prevent it.

4th. That the Revenue do remain fixed at this Rate during the Life of the Purchaſer. That no Increaſe be levied, nor Deduction allowed on any Account whatever. That the Government be at liberty to ſell the Zemindarry, if the Zemindar ſhould be deficient in his Payments.

4th. An annual Encreaſe would put the Zemindar to Difficulties, which would eventually produce Oppreſſion and prevent Improvement; and Deductions would become neceſſary, as at preſent, in unfavourable Seaſons. If the Revenue be fixed, the Profits of One Year will compenſate for the Loſſes of another; and ſhould the Zemindar, through his own Miſconduct, be at any Time deficient in his Payments, a Purchaſer would never be wanting to take the Zemindary on Terms which would ſecure to Government its juſt Revenues.]

§ (" 5th. That on the Death of any Purchaſer, the Zemindarry ſhall devolve to his " Heir. That it ſhall then be in the Option " of the Government to continue it fixed to " him at the ſame Rate as was paid by the " Purchaſer, or to make a new Huſtbood " of it, and ſettle the Rent on the Medium of the actual Collections of the " Three preceding Years, in the Manner " propoſed in the 3d Article, with this " Proviſo; however, that whatever may be " the Reſult of the Huſboad, no greater " Increaſe ſhall be levied than 10 per Cent. " on the preceding Leaſe, nor the Settlement be reduced to leſs than the preceding Leaſe; that the Expence of the " Huſtbood be defrayed, Half by the Government and Half by the Zemindar. " If the new Zemindar agrees to an Increaſe of 10 per Cent. a Huſtbood will " then be unneceſſary. This, however, " ſhould not be demanded, unleſs the " preceding Zemindar had poſſeſſed the " Eſtate at leaſt Ten Years.

(" 5th. The Increaſe propoſed is very moderate; " but we do not think it could be rendered greater, " conſiſtently with the Value which we would wiſh " to be ſet upon Landed Property; for upon this " we deem the whole Succeſs of our Plan to depend.

" It cannot, we think, be reckoned an Injuſtice, " that the Succeſſor ſhould at any Rate pay the " ſame Revenues as his Predeceſſor. If the Zemindarry is not worth holding on thoſe Terms, " he will be at Liberty to ſell or relinquiſh it; it is " a neceſſary Regulation, leſt the Succeſſor ſhould " inſiſt upon a Huſtbood, and by Influence and " Bribery get the Value of it reported much lower " than the Truth, and ſo defraud the Government.

" Was every Zemindar required to deliver annually an exact Account of his actual Collections, " under Pain of forfeiting his Zemindarry, it might " prevent the Neceſſity of ever having Recourſe to " a Huſtbood; but we apprehend ſuch a Clauſe " would occaſion an Alarm, and diſcourage People " from purchaſing.

" We propoſe the Expence of the Huſtbood to " be paid, Half by the Government and Half by " the Zemindar, that both may be induced to an " amicable Adjuſtment.

" If the preceding Zemindar had poſſeſſed the " Eſtate but a ſhort Time, the Government ought " to confirm it to his Succeſſor without any Encreaſe: If he had poſſeſſed it a great Number of " Years, and no particular Circumſtance had happened to prevent its Improvement, it would be " reaſonable that the Encreaſe of 10 per Cent ſhould " be demanded.

" This

" 6th. That ſhould the new Zemindar " refuſe to hold the Zemindarry at the " ſame Rate as was paid by his Predeceſſor, " he ſhall either ſell it to ſome other Per- " ſon who will be anſwerable for the Re- " venue, or elſe it ſhall be forfeited and " eſcheat to Government.

" 7th. That ſhould the new Zemindar " refuſe to hold it on the Terms of a Huſt- " bood, as propoſed in the 5th Article, he " ſhall receive an Allowance of 10 per " Cent. on the preceding Settlement, and " the Government ſhall be at Liberty to " farm it out on the beſt Terms procure- " able.

" 8th. That ſhould the new Zemindar " be a Minor, and Guardians have not " been appointed by the Father, the Go- " vernment ſhall take the Zemindary under " its own Charge, till he attains the Age " of 18 Years, and be at Liberty to farm it " out on the beſt Terms procurable, ſet- " ting apart for him an Allowance of 10 " per Cent.

" 9th. That as ſoon as he attains the " Age of 18 Years, the Farm ſhall be of- " fered to him on the Terms propoſed in " the 5th Article; and if he refuſes to hold " it on any of thoſe Terms, the Govern- " ment ſhall be at Liberty to farm it out, " as in the 7th Article.

[10th. That all the other Diſtricts of Bengal be formed out in Leaſes for Life, or for Two joint Lives, to ſuch reſponſible People as ſhall offer the moſt advantageous Terms, allowing a Preference to the Zemindars, (provided they have attained the Age of 18 Years), if their Offers are equal to thoſe of others, or if they are equal to what the Council ſhall judge to be the real Value of the Lands.

" This Encreaſe of 10 per Cent. ſhould be de- " manded on each Succeſſion, if the State of Im- " provement will admit of it; and this, in caſe of " Diſpute, would be aſcertained by the Huſtbood.

" It is unneceſſary at preſent to enter upon a Diſ- " cuſſion of the ſubſidiary Regulations which would " be requiſite for the Transfer of a Zemindarry " by Sale or otherwiſe, the granting of new Sun- " nuds, &c. &c. &c.

" 6th. The Reaſons for this Regulation are ex- " plained in the preceding Article.

" 7th. It might ſometimes happen that an Aumeen " employed in making the Huſtbood, would report " the Collections of the Three preceding Years to " be higher than they actually were, and that in con- " ſequence an Encreaſe might be demanded, when " the State of the Zemindarry would not admit of " it. This Regulation is meant to ſecure the Ze- " mindar from ſuffering by ſuch a Circumſtance, " and to render him at any Rate certain of a Profit " of 10 per Cent. But it would ſeldom be good " Policy in the Government, thus to free the Ze- " mindar from his Reſponſibility in the Revenue, " and take the Management of it out of his " Hands.

" 8th. We propoſe this Article, that the Zemin- " dar may not be liable to loſe his Inheritance by " the Miſconduct of his Servants, before he is him- " ſelf of an Age to attend to the Management of it.

" 9th. We leave him the Liberty of declining to " farm it on the Terms on which it was held by his " Predeceſſor, becauſe it may have been injured " during his Minority, and ſo may have fallen to " Decay without either his or his Predeceſſor's " Fault; he may ſtill bid for it according to what " he deems it's Value, and be allowed a Preference " to others, as propoſed in the 10th Article.")

10th. Whenever the Landed Property ſhall be put upon ſuch a Footing, as to render it deſirable, and ſecure Purchaſers in caſe of Balances, we would wiſh that the Revenue of every Diſtrict ſhould be ſettled with the Zemindar; and for this Reaſon we propoſe he ſhould have a Preference, if his Terms are equal to what the Council judge to be the real Value of the Lands, even though other Perſons ſhould be willing to give conſiderably more. This Power will be very likely to ſubject the Conduct of the Council to Miſrepreſentations; but, unleſs it is allowed to and exerciſed by them, it will be impoſſible to prevent the Miſchief of Diſtricts being over-rated, as at the Five Years Settlement, by People offering more for them than can be afforded conſiſtently with Juſtice to the Ryots.

" It might be reſolved, that no Propoſals ſhould be received from any Perſons but the Zemindars themſelves, and that their Terms ſhould be fixed by the Reſult of the Huſtbood, as in the 3d Article. A

Kind of Huſtbood will indeed be neceſſary at any Rate, according to our Plan, in order to aſcertain the Taxes which have been impoſed upon the Ryots ſince the Commencement of 1771; but to truſt to it for fixing this Settlement, would be attended with great Riſk of injuring the Government by the Influence of the Zemindars preventing the Delivery of juſt Accounts, and by the Temptations to which the Aumuns would be expoſed of Corruption.

Leaſes to Farmers on fixed Terms for Life, would intereſt them in the Improvement of the Country equally with the Zemindars, and in one Reſpect would be more effectual; we mean, by being granted to ſubſtantial *, who have Money of their own to lay out in Improvements. The principal Argument in Favour of the Zemindars, is the Security ariſing from the Power of ſelling their Lands, when Landed Property is put on ſuch a Footing as to become deſirable.]

* Sic in Orig.

§ (" 11th. That it be expreſsly ſtipulated, " that no Attention ſhall be paid to any " Propoſals for an annual Encreaſe, it be- " ing meant, that the ſame Revenue ſhall " be paid for the Firſt Year, as for the " ſubſequent Years; that no Encreaſe be " levied, or Deduction allowed, on any " Account or Pretence whatever.

" 11th. If the Attention of Government be drawn " aſide by Allurements held out of future Encreaſes, " the Revenue will be over-rated. Many Perſons " may be found, who will not ſcruple to promiſe " more than they know themſelves able to perform, " if by that Means they can obtain their preſent " Views. (Vide Obſervations on the 4th Article).

" 12th. That it be obſerved as an in- " variable Rule, that if any Zemindar fails " in his Engagements, his Zemindarry, or " ſuch Part of it as may be neceſſary to " pay the Deficiency, ſhall be publickly " ſold. The Purchaſer to hold it, either " on the Terms of a Huſtbood, as pro- " poſed in the 2d Article, or according to " the preceding Settlement, as may be " ſpecified in the Advertiſement.

" 12th. Without this Article, we ſhould not think " a Settlement with the Zemindars adviſeable, eſ- " pecially with the great Zemindars. They are for " the moſt Part ignorant of, or inattentive to Bu- " ſineſs, and truſt to their Servants, who defraud " and impoſe upon them. Beſides, it has ſo long " been the Cuſtom of Bengal, to raiſe their Rents " to the full Value of their Lands, that very few of " them have any Deſire for their Improvement, and " we do not ſuppoſe that an Alteration in the Syſtem " of Landed Property, will make any immediate " change in Sentiments which they have imbibed " from their Infancy. The Fear of the Sale of their " Lands, is the only probable Inſtrument of keeping " them to their Engagements; and the actual Sale " of them, is the only Means of re-imburſing the " Government if they fail. With reſpect to the " Terms on which the Revenue of the alienated " Lands ſhould be paid for the Purchaſer in caſe of " their Sale, the following ſhould be the Rules ob- " ſerved:

" If the Land to be ſold be a Purgunnah ſeparated " from a large Zemindarry, it ſhould be aſcertained " by a Huſtbood, as propoſed in the 3d Article:

" If it be an entire ſmall Zemindarry, it ſhould be " fixed according to the preceding Settlement, pro- " vided the Council have Reaſon to believe it was " rated at nearly it's juſt Value.

" 13th. That the ſeveral Regulations " propoſed in the 4th, 5th, 6th, 7th, 8th, " and 9th Articles, relative to Purchaſers " in the Calcutta Purgunnahs, ſhall equally " extend to the Purchaſers in other Diſ- " tricts, and to the preſent Zemindars.

" 13th. Requires no Explanation.

" 14th. That whenever the Zemindar " does not farm his own Zemindarry, his " Allowance be paid at 10 per Cent. on " the Amount of the Revenue ſettled by " the Government.

" 14th. We underſtand this was the Rule in the " ancient Conſtitution of the Empire. It now pre- " vails univerſally in the Province of Bahar, under " the Title of Malckâna, or the Right of the Pro- " prietor.

" 15th. That each Zemindar, or the " Farmer where the Farmer has Poſſeſ- " ſion, be authorized to exerciſe a Fouji- " darry Juriſdiction, and be made anſwer- " able for Murders and Robberies com- " mitted in his Diſtrict, agreeably to the " old Conſtitution of the Empire.

" 15th. The Foujidarry Juriſdiction, according to " the Conſtitution of the Empire, is inherent in the " Zemindar; but it will be dangerous to entruſt the " Exerciſe of it to any other than the Perſon who " has the Charge of the Collections, nor would it " prove effectual in any other Hands. Continual " Jealouſies and Contentions would be excited be- " tween the Farmer and the Foujidar. The former " would ſuffer by the Oppreſſions of his Ryots, if " the latter had a ſuperior Influence, or he would " make uſe of ſuch a Plea to obtain a Remiſſion in " his Rents; and the Foujidar would be unable " to act, if the Farmer's Influence prevailed, as the " Ryots would always fly to him for Protection. " Some Regulation of this Kind is neceſſary for the " Peace of the Country, but it would require much " Care to put it upon ſuch a Footing, as neither to be " oppreſſive to the Farmer, nor to the Ryots. The " old Conſtitution of the Mogul Empire ſhould in this " Inſtance be the Baſis of the Rules to be ordained.

" 16th. That for the Salt Contracts a " Preference be allowed to the Land Far- " mer, and that in future it be regulated " that the Molungees, or Salt Boilers, ſhall " not be obliged to work, whether they " chuſe it or not; but only, that if they " do work, it ſhall be for the Contractor, " and that their Salt ſhall be delivered to " him; the Price to be ſettled by mutual " Agreement.

" 16th. We propoſe that the Zemindar, or Land " Farmer, ſhould alſo be the Contractor, becauſe " he would be able to execute that Buſineſs with " greater Advantage than another. An Order re- " ſtricting the Molungees to the Service of the Con- " tractor cannot be oppreſſive, if they are at the " ſame Time allowed to quit that Buſineſs alto- " gether, in caſe they cannot ſettle with the Con- " tractor, to their own Satisfaction, for the Price " and Conditions of their Labour. Such a Per- " miſſion would put them on a happier Footing " than they have ever yet enjoyed.

" That Government ſhould continue to draw a " Revenue from the Article of Salt, appears highly " proper and equitable. Suppoſe the Inhabitants, " one with another, to expend a Seer of Salt per " Month, (which is a large Allowance), and ſup- " poſe the Government to draw from it a Revenue " of One Rupee per Maund, which would amount " to Twenty Lacks; the Charge to each Perſon " would be little more than a Fourth Part of a Ru- " pee in a Year; ſo mere a Trifle, that it could ſcarce- " ly be felt. We ſuppoſe the utmoſt; the real In- " creaſe of Price ſince the Year 1772, when the Go- " vernment took the Salt Manufacture into their own " Hands, has not been Half a Rupee per Maund.")

☞ [17th. That theſe Regulations, or ſuch Part of them as ſhall be approved, and any others which the Honourable Court of Directors ſhall think fit to add to them, be paſſed into fixed Laws by their expreſs Command; that it ſhall not be in the Power of the Governor and Council to change or deviate from them on any Occaſion, or for any Pretence whatſoever; and that Copies thereof, in the Engliſh, the Perſian, and Bengal Languages, be affixed to all the Cutcherries of the Provinces, with the ſame Authority declared for their Eſtabliſhment and Duration.

[17th. The continual Variations in the Modes of collecting the Revenue, and the continual Uſurpations on the Rights of the People, which have been produced by the Remiſſneſs or the Rapacity of the Mogul Government, and, in the Engliſh, by the Deſire of acquiring a Reputation from a ſudden Increaſe of the Collections, without ſufficient Attention to remote Conſequences, have fixed in the Minds of the Ryots ſo rooted a Diſtruſt of the Ordinances of Government, that no Aſſurances, however ſtrong, will perſuade them, that Laws, which have no apparent Object but the Eaſe of the People and the Security of Property, can be of long Duration, unleſs confirmed by a ſtronger Pledge than the Reſolution of a fluctuating Adminiſtration. Even with the Sanction of the Honourable Court of Directors, Time will be required to reconcile their Belief to ſo extraordinary a Revolution in the Principles of this Government.] (*a*)

" Warren Haſtings,
Rich[d] Barwell."

(*a*) Vide Appendix, N° CXLIII.

Read, from Book 180 already delivered in, the following Extract of a Letter from the Governor General and Council at Bengal to the Court of Directors, dated 3d November 1772.

Par. 22. " When it can be done with Propriety, the entruſting the Collections of the Diſtricts to the hereditary Zemindars, would be a Meaſure we ſhould be very willing to adopt, as we believe that the People would be treated with more Tenderneſs, the Rents more improved, and the Cultivation more likely to be encouraged, the Zemindarry leſs liable to Failure or Deficiencies than the Farmer, from the perpetual Intereſt which the former hath in the Country, and becauſe his Inheritance cannot be removed, and it would be improbable he would Riſk the Loſs of it by eloping from his Diſtrict, which is too frequently practiſed by a Farmer when he is hard preſſed for the Payment of his Balances, and as frequently predetermined when he receives his Farm. (*a*)

Signed at the End,

" Warren Haſtings, Rich[d] Barwell,
Thomas Lane, W[m] Alderſey,
R[t] Barker, James Harris,
H. Goodwin."

Read, from Book 184 already delivered in, the following Extract of a Conſultation of the 14th of May 1772, beginning at Page 248 of the ſame Book.

[" Fort William, the 14th May 1772.

" At a Committee of Revenue; Preſent,

The Honourable Warren Haſtings Eſquire,

William Alderſey, Philip Milner Dacres, Thomas Lane, Richard Barwell, Eſquires. James Harris, James Lawrell, Henry Goodwin, John Graham.

" The Farmer who holds his Farm for One Year only, having no Intereſt in the next, takes what he can with the Hand of Rigour, which, even in the Execution of legal Claims, is often equivalent to Violence.—He is under the Neceſſity of being rigid and even cruel, for what is left in Arrear after the Expiration of his Power, is at beſt a doubtful Debt, if ever recoverable.]

§(" He will be tempted to exceed the Bounds of Right, and to augment his Income by irregular " Exactions, and by racking the Tenants, for which Pretences will not be wanting, where the " Farms paſs annually from One Hand to another. What ſhould hinder him? He has nothing " to loſe by the Deſertion of the Inhabitants, or the Decay of Cultivation. Some of the richeſt " Articles of Tillage require a Length of Time to come to Perfection; the Ground muſt be ma- " nured, banked, watered, ploughed, and ſowed or planted. Thoſe Operations are begun in " one Seaſon, and coſt a heavy Expence, which is to be repaid by the Crops of the ſucceeding " Year. What Farmer will give either Encouragement or Aſſiſtance to a Culture of which another " is to reap the Fruits?

" The Diſcouragements which the Tenants feel from being transferred every Year to new " Landlords, are a great Objection to ſuch ſhort Leaſes: They contribute to injure the Cultiva- " tion, and diſpeople the Lands. They deprive the induſtrious Reiat of thoſe Aids, known by " the Appellation of " Tuccaubee," ſo eſſentially neceſſary to enable him to purchaſe Cattle, Seed, " and Utenſils of Huſbandry, which a more permanent Farmer will ever find it his Intereſt to " ſupply as a Means of promoting an increaſed Cultivation, and they of Courſe prove an unſur- " mountable Obſtacle to bringing into an arable State, the immenſe Tracts of Waſte Land which " overſpread this fertile Country.

" The Defects of ſhort Leaſes point out, as a neceſſary Conſequence, the oppoſite Advantages of " long Farms.

" From theſe the Farmer acquires a permanent Intereſt in his Lands. He will, for his own " Sake, lay out Money in aſſiſting his Tenants in improving Lands already cultivated, and in " clearing and cultivating Waſte Lands. He will not dare to injure the Rents, nor encroach " in one Year on the Profits of the next, becauſe the future Loſs which muſt enſue from ſuch a " Proceeding will be his own; the Tenants will grow familiarized to his Authority; and a mu- " tual Attachment is at leaſt more likely to proceed from a long Intercourſe between them, eſpe- " cially when their Intereſts are mutually blended, than from a new and tranſitory Connection " which is ready to expire before it can grow into Acquaintance.

" Such are the Arguments which have occurred to us, in Support of the Two Points on which " we have already determined, namely, to diſpoſe of the Lands to farm, and on long Leaſes.

" We are happy to reflect, that the Commands of our Honourable Maſters in many of their " late general Letters, but eſpecially * ſtrongly inculcate the ſame Opinion.") § * Sic in Orig.

[(Signed at the End),

Warren Haſtings, W. Alderſey,
Thomas Lane, Rich[d] Barwell,
James Harris, H. Goodwin."] (*b*)

(*a*) Vide Appendix, N° CXLIV.

(*b*) Vide Appendix, N° CXLV.

The Managers for the Commons informed the Houſe, they ſhould next read a Paper, to ſhew the Opinion of Mr. Haſtings with reſpect to the Impoſſibility of a partial Delegation of the Authority of the Superior Council in Matters of Revenue, for the Purpoſe of introducing another Paper, to prove that he did afterwards make ſuch Delegation ſo diſapproved of by himſelf, and then ſent a partial Repreſentation of it to the Court of Directors.

The Counſel for the Defendant objected, that this was not charged in the Articles, and that if it were, it did not amount to Matter of Crimination, ſo as to entitle the Managers for the Commons to go into Evidence at all upon the Subject.

The Managers for the Commons in anſwer ſtated, That the Allegation intended to be proved was contained in the 7th Article (*a*); and contended, that the Counſel for the Defendant were not now at Liberty to object to the Admiſſion of Evidence on the Ground of the Effect of it; ſuch Objection, if founded, being Matter in Arreſt of Judgement hereafter.

The Counſel for the Defendant waived their Objection for the preſent.

Read, from Book 190, already delivered in, the following Extract of a Committee of Council of the 28th July 1772, beginning at Page 286 of the ſame Book.

" Coſſimbazar, the 28th July 1772.

" At a Committee; Preſent,
The Honourable Warren Haſtings Eſquire, Preſident;
Samuel Middleton,
P. Milner Dacres,
James Lawrell,
John Graham, } Eſquires.

" In the Conſideration of the Subject before us, the Firſt Point of Enquiry is, whether the Buſineſs of the Dewannee ſhall be conducted as it hath hitherto been, in Part by the Agency of the Company's inferior Servants, conſtituting a Board of Revenue at Moorſhedabad, or be put under the immediate Controul of the Members of their Adminiſtration. We ſhall not heſitate to determine in favour of the latter; the Revenue is beyond all Queſtion the firſt Object of Government, that on which all the reſt depend, and to which every other ſhould be made ſubſervient. There muſt be a controlling Power in this Department, it cannot be partially delegated; but in whatever Hands it is lodged it muſt be abſolute and independant. But the Superior Council, which is, conſtitutionally, the controuling Power, having no Cognizance nor Connection with the inferior Department, can have no Knowledge of what is tranſacted but from the Informations of the Board of Revenue, which, however fair and impartial, cannot poſſibly convey that intimate Intelligence which ariſes from daily Practice, and a direct Communication with the Servants of the Revenue. Without ſuch an Intelligence, what Authority can the Adminiſtration poſſeſs in the Affairs of the Collections; or, with what Confidence can they iſſue any Orders for their Improvement, impreſſed, as they muſt be, with the Conſciouſneſs that they are but imperfect Judges of Matters on which they dictate to others better informed? In effect, all Authority and Command will reſt with the Board of Revenue.

(Signed at the End) " Warren Haſtings,
P. M. Dacres,
James Lawrell,
J. Graham." (*b*)

The Managers for the Commons ſtated, they ſhould next proceed to ſhew, that the Defendant did make the Delegation he himſelf had reprobated.

Read, from Book 225, already delivered in, the following Extract of a Conſultation of the 9th of February 1781, beginning at Page 663 of the ſame Book.

" Fort William, 9th February 1781.

Rev. Dept. Friday.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
and
Edward Wheler Eſquire.

Plan for the future Management of

" The Syſtem which yet ſubſiſts, though with many uneſſential Variations, of ſuperintending and collecting the publick Revenue through the Agency of Provincial Councils, was inſtituted

(*a*) Vide Printed Articles;—Art. 7, Par. 18 and 19.

(*b*) Vide Appendix, N° CXLVI.

for

for the temporary and declared Purpoſe of introducing another more permanent Mode, by an eaſy and gradual Change, by which the Effects of too ſudden an Innovation might be avoided. This permanent Plan is methodically and completely delineated in the ſame Proceedings of the 23d of November 1773 of this Department, in which the Provincial Councils were eſtabliſhed. the Revenues of theſe Provinces.

" It conſiſts, ſubſtantially, in this; that all the Collections of the Provinces ſhould be brought down to the Preſidency, and be there adminiſtered by a Committee of the moſt able and experienced of the Covenanted Servants of the Company, under the immediate Inſpection *, and with the Opportunity of inſtant Reference for Inſtruction to the Governor General and Council. * Sic in Orig.

" Conformably to this Deſign, it is now reſolved and ordered;

" 1ſt. That a Committee of Revenue, conſiſting of Four Covenanted Servants of the Company, be immediately conſtituted; who ſhall be entruſted with the Charge and Adminiſtration of all the publick Revenue of theſe Provinces, and inveſted, in the fulleſt Manner, with all the Powers and Authority, under the Controul of the Governor General and Council, which the Governor General and Council do themſelves poſſeſs, and ſhall not reſerve excluſively to themſelves.

" 2d. That the firſt Perſons nominated to this Charge be Mr. David Anderſon, Mr. John Shore, Mr. Samuel Charters, and Mr. Charles Croftes.

" 3d. That the Provincial Councils ſhall be diſſolved, and their Charge and Powers tranſferred to the Committee of Revenue: That the Members of the Councils be ordered forthwith to repair to the Preſidency, except the Chiefs of each, who ſhall remain in the temporary Charge of their reſpective Diviſions, under the Authority of the Committee, until ſuch Time as they ſhall be recalled by the Orders of the Governor General and Council.

" 4th. That the Collectors of the ſeparate Diſtricts ſhall, in like Manner, remain in their reſpective Stations, under the Authority of the Committee, until ſuch Time as they ſhall be recalled by Order of the Governor General and Council.

" 5th. That the Office of Superintendant of the Khalſa Records ſhall be aboliſhed, and the Office of the Khalſa, with all its Dependant Offices, and all the Functions and Powers appertaining to it, ſhall be transferred to the Committee of Revenue.

" 6th. That the Canongoes ſhall be re-inſtated in the complete Charge and Poſſeſſion of all the Functions and Powers which conſtitutionally appertain to their Office.

" 7th. That the Committee ſhall examine and report the preſent State of the other Offices dependant on the Khalſa, and propoſe ſuch Alterations as ſhall appear to them neceſſary for making them anſwerable to the Purpoſes of their Inſtitution, and bringing them under the Controul and daily Inſpection of the Committee.

" 8th. That the Committee ſhall immediately prepare Eſtabliſhments for their own immediate Department, and ſuch temporary Eſtabliſhments as ſhall be judged neceſſary for the Collectors of the Diviſions or Diſtricts, and ſhall lay the ſame before the Board for Approbation.

" 9th. That ſuch of the Company's Servants as ſhall be removed from their preſent Offices in conſequence of theſe Arrangements, ſhall be permitted to draw the ſame Alllowances as they draw at preſent, until they ſhall be appointed to other Offices, or until it ſhall be the Pleaſure of the Board to withdraw this Indulgence.

" 10th. That the Committee ſhall meet Three Days in every Week, and as much oftener as their Buſineſs ſhall require;—that they ſhall form Reſolutions and Orders for the current or ordinary Buſineſs of their Department, and report to the Board, as they ſhall happen, ſuch extraordinary Occurrences, Claims, and Propoſals, as may require the ſpecial Orders of the Board.—That they ſhall keep regular Minutes of their Proceedings in the cuſtomary Form, and do no Act collectively which ſhall not be recorded therein.—That they ſhall lay a fair Copy of each Month's Proceedings, together with a ſummary Report of the ſame, the Jemma Wauſil Baukee, or Accounts of Demands, Receipts, and Balances, of each Diviſion or Diſtrict, and general and particular Accounts of Receipts and Diſburſements, and Treaſury Accounts of each Month, before the Board on the Fifteenth of the enſuing Month.

" 11th. That if the Members of the Committee ſhall differ in Opinion upon any Queſtion before them, the Majority, or the caſting Voice of the Preſident or ſenior Member preſent, ſhall decide and form the Reſolution of the Whole, but it is not expected that every diſſentient Opinion ſhall be recorded; and where the Caſe ſhall be deemed of ſuch Importance as to require it, it ſhall be immediately referred, together with ſo much of the Proceedings as have an immediate Relation to it, to the Board; but the Determination of the Majority of the Committee ſhall not therefore be ſtayed, unleſs it ſhall be ſo agreed by the Majority.

" 12th. That the Preſident of the Committee do iſſue of his own Authority, during the Intervals of their Meetings, ſuch occaſional or ſubſidiary Orders as ſhall be neceſſary for carrying into Execution any exiſting Orders of the Committee, or for perſonal Attendance, or for preparing Materials for the Inſpection of the Committee, or for any ſuch other Purpoſes as the Committee ſhall judge it adviſeable to commit to his ſeparate Charge as their executive Member; and all the Officers, Servants, and Dependants, ſhall be required and enjoined to yield implicit Obedience to all Orders which they ſhall receive from him, ſubject of courſe to the ſuperior Authority of the Committee. That the other Members of the Committee ſhall not poſſeſs or exerciſe, individually, the ſame

Power, except in Caſes in which, for the greater Diſpatch of Buſineſs, they ſhall agree to divide it into ſeparate and occaſional Portions between them, or to aſſign any ſpecial Charge to any Member ſeparately.

" 13th. That a Commiſſion of Two per Cent. on all Net Sums paid immediately into the Treaſury at the Preſidency, on Account of the public Revenue in the Courſe of every Month, and a Commiſſion of One per Cent. on all Sums paid to the Treaſuries, which remain under Charge of the Collectors, in the Courſe of each Month, after deducting all Charges incurred in the ſame Month, ſhall, on the paſſing of each Month's Account, be allowed to the Members of the Committee, and their principal Aſſiſtants, as the Reward of their Trouble from this Time, or from the Firſt Day of the Month Faugun, to the Concluſion of the enſuing Bengal Year, or to the End of the Month of Cheyt 1188, and ſhall be ſhared between them in the following Manner; viz. The Whole being divided into Twenty-five Shares, the Preſident ſhall take Six Shares, each of the other Members of the Council ſhall have Five Shares, and the remaining Four Shares ſhall be divided equally between the Secretary and the preſent Aſſiſtant of the Superintendant of the Khalſa Records, who ſhall continue to perform the ſame Duties under the Authority of the Committee, and the occaſional Orders of the Board, as he has hitherto done under the Superintendant of the Khalſa Records; and theſe Allowances ſhall be in Lieu of all Salaries, Emoluments, and Perquiſites whatſoever.

" 14th. Each Member of the Committee ſhall, on his Admiſſion to his Office, ſolemnly take and ſubſcribe the following Oath; (viz.):

" I A. B. do ſwear, That I will faithfully diſcharge the Office of a Member of the Committee of Revenue; that I will not receive, directly or indirectly, from any Zemindar, Talookdar, Farmer, or other Landholder or Officer, or other Dependant of the Committee, any Preſent or Gratuity of any Kind whatſoever; neither will I acquire or receive any lucrative Advantages by my Office, but ſuch as ſhall be publickly allowed me by the Governor General and Council.

So help me GOD."

" Agreed, That a Copy of the foregoing Plan, with Copies of the Letters, hereafter entered, to the Provincial Councils and Collectors, and to the Superintendant of the Khalſa Records, and Mr. Duncan, be delivered to the new Committee with the following Inſtructions. (*a*)

Signed at the End,

" Edw[d] Wheler."

To ſhew who was the Perſon appointed to be Dewan of the Committee of Revenue,

Read, from Book 227 already delivered in, the following Extract of a Conſultation of the 20th of February 1781, beginning at Page 81 of the ſame Book.

" Fort William, the 20th February 1781.

Rev. Dept. Tueſday.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
and
Edward Wheler, Eſquire.

Appointment of Gonga Govind Sing to the Office of Dewan.

" Agreed, that Gonga Govind Sing be appointed Dewan to the Committee of Revenue, and that they be adviſed of it in the following Letter.

" To Mr. David Anderſon, Preſident, &c. Members of the Committee of Revenue.

Com. of Rev. L S. No. 20.

" Gentlemen,

" We have this Day thought proper to appoint Gonga Govind Sing to the Office of Dewan to your Committee.

We are, &c.

" Fort William,
the 20th Feb. 1781.

Signed at the End of the Conſultation,
" Edw[d] Wheler."

The Managers for the Commons informed the Houſe, They would next ſhew what was the Power and Authority veſted in the Dewan.

(*a*) Vide Appendix, N° CXLVII.

Read,

Read, from the ſame Book, the following Extract of a Conſultation of the 6th of March 1781.

☞ [" Fort William, the 6th March 1781.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſq. Governor General, Preſident;
and
Edward Wheler, Eſq."] ☜

Rev. Dept. Tueſday.

§ (" Extract of the Proceedings of the Committee of Revenue, the 2d March 1781.

" The Honourable the Governor General and Council having reſolved to inveſt the Committee with the Functions and Powers appertaining to the Office of the Khalſa, and having directed them to examine and report on the preſent State of the other Offices dependant on the Khalſa, and propoſe ſuch Alterations as ſhall appear neceſſary for making them anſwerable to the Purpoſes of their Inſtitutions, the Committee now proceed to take into Conſideration theſe Reſolutions and Orders.

" The Committee reverting to the original Regulations for conducting the Buſineſs of the Revenue Department at the Preſidency, and that of the Khalſa, obſerve, that the Principles upon which the Syſtem was then eſtabliſhed, were founded with a View to the Eſtabliſhment of ſome future Committee of Revenue, ſimilar to that which has now taken place.

" That the Duty of the preſent Committee is there alſo defined to conſiſt chiefly in iſſuing the neceſſary Orders to the Collectors; in inſpecting, auditing, and paſſing their Accounts; in deciding upon all Points of Reference; and in iſſuing the neceſſary Orders, ſubject to the Approbation and Controul of the Supreme Council.

" That for carrying into Execution theſe ſeveral Duties, the former Eſtabliſhment of the Khalſa, with ſome few Variations, will now alſo be requiſite.

" That it appears to the Committee, that as the Roy Royan was originally dependant on the Board of Revenue, and directed to attend there, he ſhould alſo be now conſidered as an Officer under the Supreme Council.

" That, with this Capacity, his Duty will ſtill conſiſt in counterſigning all ſuch Perſian Papers and Orders as are executed by the Supreme Council, or by the Honourable the Governor General.

" That he may be the better enabled to carry into Execution ſuch Orders as he ſhall receive from the Supreme Council or Governor General, he be ſtill allowed to call upon the Native Officers under the Committee, for Copies of ſuch Papers in the different Sheriſtas as he may require.")

☞ [" That as the Supreme Council have thought proper to appoint a Dewan to the Committee, it will be the Duty of the Dewan to counterſign the Papers executed by them, and carry into Execution ſuch Orders as are given to him, and ſuch Duties as appertain to his Office; to be preſent at the Meetings of the Committee, and ſit with them, to receive their Orders, and to attend the Preſident occaſionally, and to report ſuch Matters to him as require his Orders, which he is to obey.

" That the Roy Royan therefore ſhould not be allowed to interfere in the Buſineſs tranſacted by the Dewan of the Committee, as ſuch Interference would occaſion frequent Diſputes and great Delay in the Buſineſs, which each would aſcribe to the other.

" That the Duty formerly veſted in the Roy Royan of ſuperintending the Conduct of the Provincial Dewans, of receiving Accounts from them in the Bengal Language, and of iſſuing Counterparts of the Orders which the Board of Revenue ſhould expedite to the Collectors, will now become unneceſſary.

" That with reſpect to ſuch Provincial Dewans as remain in the Diſtricts where Collectors are ſtationed, they ſhould continue to act under the Directions of thoſe Collectors to whom the Committee will expedite their Orders.

" That with reſpect to ſuch Provincial Dewans and Naibs as reſide in Diſtricts where there are no Collectors, the Committee will alſo iſſue their Orders to them through their Preſident, and ſuch Orders are to be counterſigned by the Dewans of the Committee.

" That the Collectors be accordingly directed to addreſs the Perſian and Bengal Copies of ſuch Accounts as they ſhall ſend to the Committee to the Dewan of the Committee, under Cover directed to the Preſident and Committee; and that Orders be iſſued to the Provincial Dewans and Naibs who reſide in Diſtricts where there are no Collectors, to adopt the ſame Mode of Addreſs.

" That the executive Buſineſs appertaining to the Collection of the Rents of the Huzzoory Mehals, will principally reſt with the Preſident of the Committee and Dewan, ſubject to the Orders of the Committee.]

§ (" That the Accountant General of the Dewanny will ſtill continue to perform the Duties deſcribed in the old Regulations of the Khalſa, or ſuch other Functions as may have ſince been preſcribed by the Honourable Board.

" That

" That all the Accounts of the Revenue Department will as uſual be carried to his Office.

" That therefore the Eſtabliſhment of an Accountant's Office for the Committee will be unne-
" ceſſary, but the Duties of ſuch an Appointment may be performed by a Sub Accountant.

" That the Duty of a Sub Accountant will be to receive the Accounts tranſmitted to the Com-
" mittee, deliver them to the Accountant General's Office, and prepare Statements of the Kiſts
" due from the Huzzoory Mehals, more immediately under the Committee, monthly Towjees of
" the ſame, with ſuch other Accounts as he may be directed to furniſh.

" That he be therefore conſidered as an Officer jointly under the Committee and Accountant
" General.

" That the official Eſtabliſhment for the Royroyan, ſpecified in the above Regulations of the
" Khalſa, will not in future be conſidered as a Part of the Eſtabliſhment of the Committee, but
" ſeparate from it.

" That inſtead of the above Office, an Eſtabliſhment for the Dewan of a Number of Native
" Officers, ſufficient to enable him to execute the Duties appertaining to his Appointment, be
" made.

" That a ſeparate Office for the Huzzoor Tehſeel, as mentioned in the old Regulations of
" the Khalſa, will now become unneceſſary, as the Duties of this Office will be performed by the
" Dewan and the Officer under him.

" That with reſpect to the Canongoes Office, it will become the Subject of future Conſideration,
" when the Committee proceed to carry into Execution the Orders of the Honourable Board for
" the Eſtabliſhment of the Canongoes.

" That the Eſtabliſhment of a general Treaſury Office, as deſcribed in the above Regulations
" of the Khalſa, will ſtill be neceſſary; but that to facilitate the Receipt of the Revenues, to check
" the Accounts, and preſerve Regularity in them, it is the Opinion of the Committee, that a
" ſubordinate Treaſury Office ſhould be eſtabliſhed for the Collections of that Part of the
" Huzzoor Tehſeel, made by the Committee themſelves, or their Officers immediately under
" them.

" That in order to prevent all Confuſion in Terms, the general Treaſury of the Committee do
" ſtill retain the Name of The Khalſa Treaſury, and that the ſubordinate Treaſury Office be deno-
" minated The Running Treaſury.

" That with reſpect to the other ſubordinate Offices dependant on the Khalſa, it will be ne-
" ceſſary to retain them with ſome Variations, and they will ſtill continue the Functions deſcribed
" in the above Regulations, or ſuch others as ſhall be preſcribed.

" The Committee having premiſed the Obſervations neceſſary for carrying into Execution the
" Orders of the Honourable the Governor General and Supreme Council, now proceed to form
" their Eſtabliſhment.

[Vide Paper annexed.]

" That as nothing contributes more to an expeditious and regular Diſpatch of Buſineſs than
" general Forms and Rules, the Committee think it neceſſary to paſs the following Reſolutions
" for their own Guidance, and that of their Officers under them.

" Collection of the Revenues of the Huzzoor Tehſeel.

" That Tullub Chitties be regularly iſſued on the 20th of each Bengal Month, for One Half
" of the Kiſt of the Huzzory Mehals for the ſame Month.

" That on the 30th of each Bengal Month, Tullub Chitties be iſſued for the remaining Half
" of the Kiſt of the ſame Month.

" That on the 5th of the enſuing Month (Bengal Month) Duſtucks be iſſued for the Renters in
" Arrears.

" That to obviate the Inconveniencies which have ariſen from the Dilatorineſs of the Zemindars
" and Farmers, in diſcharging their Rents at the ſtipulated Periods of their Kiſtbundees, and
" to conſtrain them in future to be more punctual in their Payments, it be declared to them, that
" on all Sums remaining in Arrears Fifteen Days after the Expiration of the Period of the Kiſt, a
" Percentage of One Rupee ſhall be levied over and above the Amount of their Cabooleats.

" That on ſuch Part of the Kiſt of One Month as remains in Arrears after the Expiration of the
" following Kiſt, Two per Cent. be levied; and that upon the Deficiencies of every ſubſequent
" Kiſt the ſame Penalty be levied in the ſame Proportion.

" That theſe Regulations extend to the Zemindars and Farmers of all the Mehals within the
" Diviſions of Calcutta, Moorſhedabad, Burdwan, and Dinagepore, as the Situation of theſe Divi-
" ſions are ſufficiently contiguous to enable them to complete their Engagements within the Pe-
" riods above ſpecified.

" That the Dewan do deliver in an Account of the Seah or Receipts to the Preſident, ſigned
" by himſelf, daily; and that the Preſident do lay the Account before the Committee at each
" Meeting. Theſe Accounts to be depoſited with the Sub Accountant.

" That the Amount of the Sums brought into the Seah Account of each Day in the ſubordi-
" nate Treaſury, be paid in the Evening into the Khalſa Treaſury.

" Khalſa

" Khalſa Treaſury.

" That all Remittances from the Collectors and Chiefs be immediately carried to the Khalſa " Treaſury, and depoſited there.

" That all Diſburſements whatever be made from the Khalſa Treaſury.

" That all ſuch Sums as are paid according to fixed Eſtabliſhments, be paid to an Order of " Treaſury, ſigned by the Preſident of the Committee and Accountant General, and counterſigned " by the Dewan.

" That all Diſburſements, not included in fixed Eſtabliſhments, be previouſly laid before the " Committee, who will, if proper, paſs an Order for their Payment; after which the Order on " the Treaſury will be ſigned by the Preſident and Accountant General, and counterſigned by " the Dewan.

" That as often as the State of the Treaſury admits, Remittances be made from the Khalſa to " the General Treaſury.

" That theſe Payments be made to an Order ſigned by the Preſident and Accountant General, " and counterſigned by the Dewan; and that the Sub Treaſurer do give a Receipt for every Sum " ſo paid into the General Treaſury; which Receipts are to remain with the Kezanckee of the " Committee, to be produced with the Monthly Treaſury Account.

" That the Committee, on the 6th of every Engliſh Month, or the next Committee Day " enſuing, do examine and audit the Monthly Treaſury Accounts, previous to laying before the " Supreme Council.

" That on the firſt Day of every Engliſh Month, or next Committee Day enſuing, they do ex- " amine the Report upon the Towjee Accounts of the different Collectors and Chiefs, and paſs " ſuch Orders and Reſolutions thereon as they ſhall deem neceſſary.

" That the Accountant General do alſo continue to report upon the Accounts, Charges, " and Treaſury Accounts of the Collectors and Chiefs, which the Committee will take into " Conſideration, and paſs their Orders upon the 6th of every Month.

" Cal. Com^ee of Rev. " A true Copy.
March 2d, 1781. (Signed)
J. Evelyn, Sec^y.") §

[Signed at the End of Conſultation,
Edwd Wheler.] (*a*)*

The Managers for the Commons ſtated, They would next read an Extract of a Letter from the Board to the Court of Directors, giving an Account to the Directors of the above Eſtabliſhment, bearing Date the 5th of May 1781, but in Fact to be conſidered as a Letter of the 15th of May, the Poſtſcript being dated the 15th of May 1781; after which they would proceed to ſhew, that the larger Zemindaries were at that Time actually let contrary to the particular Mode pointed out in the Extract about to be read, as that which ought to be the Mode of letting them.

Read, from Book 29 already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William to the Honourable the Court of Directors, dated the 5th of May 1781.

Par. 28. " The Committee, in conſequence of our Orders to conſider and lay before us a Plan for the Settlement of the Revenues for the Bengal Year 1188, have delivered us One for that Purpoſe, formed on the following Principles. Conſultation 6th March.

29. " In fixing the Amount of the Settlement, they propoſe as the ſimpleſt and eaſieſt Mode, to take the higheſt actual Collections that have been made in any One Year from 1178 to the preſent Time, and from an Examination of the Remiſſions ſince granted, and a Compariſon of the Huſtabood Accounts and the Receipts of other Years, to form a Judgement as to the Cauſe of the Decreaſe of the Jumma which has ſince appeared, paſſing a Deciſion whether that Amount ſhall be continued, decreaſed, or increaſed; and with regard to the Mode of the Settlement, to leave the Lands generally with the Zemindars, making the Settlement with them, particularly in the larger Zemindarries, ſuch as Nuddea, Radſhahy, Dinagepore, &c.

30. " Where Women or Minors are Zemindars, they propoſe to prevent the Confuſion generally ariſing from this Circumſtance, by fixing a Reſponſibility upon ſome Perſon to whom they can conſtantly have Acceſs, and upon whom they can enforce their Orders, and for that Purpoſe to join with them in the Management their Principal executive Officer, either as Malzamin or Agent, who by annexing his Seal to the Agreement ſigned by the Zemindar, ſhall bind himſelf to pay up the Revenues Kiſt by Kiſt; ſo that his own private Fortune being rendered reſponſible for the public Revenue, it may be his Intereſt to manage the Affairs of the Diſtrict with Attention and Œconomy, and to diſcharge punctually the Amount of the monthly Kiſts.

(*a*) Vide Appendix, N° CXLVIII.

31. " As

31. " As ſeveral Diviſions contain a Number of petty Talookdars, with whom a Settlement has been made by Government, the Committee propoſe that ſuch Diviſions, and particularly ſuch Parts of them as are now immediately under their Department, or are to be put under it, ſhall be let to Farmers; as they would otherwiſe be greatly embarraſſed and impeded in their general Buſineſs, by entering into the Detail of a Settlement with a Number of petty Farmers and Talookdars: That for theſe, Publication be made ſignifying, that ſealed Propoſals will be received for the Farm of them, the Committee reſerving to themſelves the Power of rejecting ſuch Offers as they may deem inadequate, or ſuch as are made by Perſons who want Knowledge or Reſponſibility.

32. " They propoſe laſtly, That the Period of the Leaſes ſhall be limited to One Year, and that a Preference be given at the Settlement of the next to ſuch Perſons as ſhall have paid up their Rents, making an Engagement to this Effect on the Part of Government; and that the Settlement be formed by themſelves in as many Caſes as they can, leaving it in others with the Collector, or the Officer of Government.

Conſultation 30th March.

33. " The Whole of the Plan recommended by the Committee received our Approbation, except that Part wherein they propoſe, in ſome Caſes, to leave the Detail of the Settlement with the Collector, or the Officer of Government; in reſpect to which, we deemed it inconſiſtent with the Office of the Perſon who was to have the Collections of the Settlement, that he ſhould have any Concern in the Formation of it; we therefore directed, that for ſuch Diſtricts as could not be immediately ſettled by the Committee with the Zemindars, or Agents deputed by them, Perſons ſhould be expreſsly deputed from the proper Offices to form the Settlements upon the Spot, which ſhould be alſo made, and finally concluded by themſelves.

Conſultation 30th March.

36. " Deeming the Duty of preparing the monthly Audit of the Accounts of the Revenue Department for the Member of the Council Auditor of the Week, by Mr. Croftes our Accomptant General in this Department, incompatible with his Office as a Member of the Committee of Revenue; we have delegated this Truſt to Mr. Larkins, Accomptant General to our General Department, ſo far as reſpects the Examination of the Treaſury Account of that Committee, with Directions to lay before us a monthly Report for the Audit of it. For the more particular Nature of this New Office, and the Motives which induced us to grant Mr. Larkins, as a Reward for the preſent and former Services which he has rendered the Company, the Compenſation minuted on our Proceedings, we beg Leave to refer you to them as noted in the Margin, and doubt not of their meeting your Approbation.

37. " We cannot cloſe our Advices of the Proceedings of this Department, without making ſome Obſervations upon the Nature and Deſign of it's Inſtitution, which it's apparent Novelty, the liberal Endowments annexed to it, and the unavoidable Severity with which a Change ſo extenſive and important in the Conſtitution of the principal Adminiſtration of your Affairs, has fallen on the Intereſts of Individuals, may render neceſſary to obviate any poſſible Miſconception of it to our Prejudice in your Opinions.

38. " We ſhall not be ſurprized if we find it imputed to the Love of Innovation; a Charge which has been frequently laid againſt your Adminiſtration of theſe Provinces, and which we conceive to be unavoidable in a great Government, which, like this, has been ſuffered ſo long to exiſt on Expedients, in Default of a fixed Conſtitution. In ſuch a State, every Change of Influence muſt be productive of a Change of Meaſures, whether dictated by Caprice, Self-intereſt, or Integrity; and the Influence of the latter muſt yet operate to the Introduction of many more, and greater Improvements, before this Government can attain that Degree of Perfection, or your Property in it that permanent Value, of which we think it capable. Though ſuch is our Opinion of Innovations in general, and we mention it only that we may not be ſuppoſed to condemn the Principle in other Inſtances by the Diſavowal of it in one, yet we muſt declare, that in no Act of our Adminiſtration have we obſerved a greater Conſiſtency, or a cloſer Attention to fixed Principles, than in this. The Syſtem which we have thus attempted to eſtabliſh, was firſt deviſed by the Preſident and Council of this Preſidency in the Year 1773, and made a Part of the ſame Reſolution which diſtributed the Charge of the Collections among the late Provincial Councils. Theſe Eſtabliſhments were declaredly formed for the Purpoſe of introducing the former, and were intended to be gradually withdrawn, as Experience might render them no longer neceſſary. The Committee itſelf was immediately formed; and to give it the greater Dignity, Two Members of the Superior Council were appointed to ſuperintend it; although it then differed only in Name from the other Provincial Councils, and its deſtined Functions were reſerved for a future Arrangement.

39. " Why the Deſign failed in its Effect, and the Provincial Councils were permitted to remain during ſo long a Courſe as Seven Years, in Contradiction of their profeſſed Inſtitution, it is unneceſſary to mention. It is ſufficient to ſay, that the Neceſſity for reverting to the original Syſtem, if its Principles were juſt, was never ſo great as it was at the Time in which it took place, and in which the Preſervation of the Company's Intereſts in every Part of India depended upon the Reſources of this. We may add, that had the ſame Neceſſity exiſted at any preceding Time, the Change could not have been effected. We have now reſolved to carry it into Execution, and ſhall be content to leave the Proofs of its Utility to a ſhort Trial; but it will reſt with your Wiſdom to give it Permanency, by correcting its Defects, and by obtaining the Sanction of Parliament

ment for its Duration, under the Form which ſhall be ultimately given to it. With reſpect to the Inſtitution itſelf, it is eſſentially, and almoſt minutely the ſame as the Plan which was laid down for it in Conſultation of the 23d of November 1773, to which we beg Leave to refer you, and for that Purpoſe to tranſmit a complete Copy of it, a Number in this Packet.

40. " The Allowances granted to the Members of this Board, if compared with the oſtenſible Emoluments which have been annexed to other Offices of this Service, will appear enormous, and the Principle on which they are formed is in its Application new, though not in Speculation; neither is this the firſt Inſtance of it. Our Aim has been to preclude all clandeſtine Perquiſites, to bind the Zeal and Fidelity of your Servants entruſted with this great Charge by the Ties of Gratitude and Honour, and to make their Intereſt ſubſervient to yours by proportioning the Rate of their official Emoluments to the Succeſs of their official Labours, or in other Words, to the Augmentation of the publick Revenue, and the Diminution of its Expences. We wiſh to apply the ſame Principle to every other Department of your Service which will admit of it; and we intreat that you will afford us your Credit for the Juſtice and Expediency of it, on the Motives which we have thus briefly ſtated, without expecting that we ſhould have entered into a more minute, but invidious Explanation of them.

41. " In this, as it muſt be the Caſe in every Reformation, the Intereſt of Individuals has been our principal, if not our only Impediment. We could not at once deprive ſo large a Body of our fellow Servants of their Bread without feeling that Reluctance which Humanity muſt dictate, not unaccompanied perhaps with ſome Concern for the Conſequence which our own Credit might ſuffer by an Act which involved the Fortunes of many, and extended it's Influence to all their Connections.

42. " This, added to the Juſtice which was due to your Servants, who were removed for no Fault of theirs, but for the public Convenience, induced us to continue their Allowances until other Offices could be provided for them, and the more chearfully to ſubmit to the Expediency of leaving others in a temporary or partial Charge of the internal Collections. In effect, the Civil Officers of this Government might be reduced to a very ſcanty Number, were their Exigency alone to determine the Liſt of your Covenanted Servants, which at this Time conſiſts of no leſs a Number than Two hundred and fifty-two, many of them the Sons of the Firſt Families in the Kingdom of Great Britain, and every One aſpiring to the rapid Acquiſition of Lacks, and to return to paſs the Prime of their Lives at Home, as Multitudes have done before them; neither will the Revenues of this Country ſuffice for ſuch boundleſs Pretenſions, nor are they compatible with your's and the national Intereſts, which may eventually ſuffer as certain a Ruin from the Effects of private Competition and the Claim of Patronage, as from the more dreaded Calamities of War, or the other ordinary Cauſes which lead to the Decline of Dominion.

43. " We dare not purſue this Subject, nor could we without a Sacrifice of our Duty withhold this brief Suggeſtion of it from your Notice.

(Signed at the End of the Letter)

Edwd Wheler." (*a*)

The Managers for the Commons deſired the Date of the Poſtſcript, at the End of the ſame Letter, might be read.

The ſame was read accordingly, as follows:

" Fort William, the 15th May 1781."

Then the Managers for the Commons deſired Mr. Hudſon might be called in.

Mr. HUDSON was accordingly called in, and examined as follows:

Q. At what Time was the Letter of the 5th of May, with the Poſtſcript of the 15th of May, received in England, and by whom was it received?

A. The Letter was received in Duplicate by the Swallow, on the 3d of June 1782.

Q. When was the Original received?

A. Never, I believe.

Q. Was the Letter never received till it came by the Swallow?

A. Never.

Q. Who brought it to the Eaſt India Houſe?

A. It came in the Packet—it is marked, " Received by the Swallow, 3d of June 1782."

The Witneſs was directed to withdraw.

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide Appendix, N° CXLIX.

Die Jovis, 25° Februarii 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons ſtated, That the Counſel for the Defendant having intimated to them a Deſire to have a Paragraph in the Letter from Edward Wheler Eſq. to the Court of Directors, dated the 5th of May 1781, and laſt produced in Evidence by the Managers for the Commons, read, previous to the Evidence about to be offered by them To-day, they had no Objection thereto.

Accordingly the ſame was read from Book 29 already delivered in.

Par. 34. " It being our Deſire to remove every Interference and Embarraſſment from the preſent Syſtem of Controul, to render it uniform, and to afford every Relief and Eaſe, both to the Riots and to the Zemindars, which may be conſiſtent with it, and conformable to the ancient Conſtitution of the Country, we have recommended it to the Committee to give all due Encouragement to ſuch Applications as they may receive from the Zemindars for the Payment of their Rents immediately to the Khalſa, for the Reſtoration of their ancient Juriſdiction, and the conſequent Abolition of that of the Fouſdarry, and for the Settlement of a fixed Revenue during the Lives of the actual Incumbents; informing them at the ſame Time, that we ſhall expect from the Zemindars in return, an Increaſe of their Revenue, proportioned to the Advantages which they will derive from this Indulgence. (*a*)

(Signed at the End) Edwd Wheler."

The Managers for the Commons ſtated, that it was their Intention next to have ſhewn, that the before-mentioned Eſtabliſhment, which, it was pretended, was to be an Eſtabliſhment of Oeconomy, was, in fact, an Eſtabliſhment of great Expence. But the Evidence not being at hand, they would in the mean Time proceed to prove what was the Character of Gunga Govind Sing, whom Mr. Haſtings had put in the high Situation already deſcribed.

Read, from Book 229, the following Extract of a Conſultation of the 12th of May 1775, beginning at Page 658 of the ſame Book.

" Fort William, the 12th May 1775.

" At a Council; Preſent, Rev. Dept. Friday,

The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General Clavering,
The Honourable George Monſon,
Richard Barwell, Philip Francis, } Eſquires.

" Mr. Francis.—I move, that Gonga Govind Sing be diſmiſſed from his Employment in the Company's Service.

" I pay little Regard to the Evidence of Cumal a Dien Cawn. The Confeſſion made by Gonga Govind Sing, convicts him of a ſpecific Offence, for which, in my Opinion, he ought to be diſmiſſed from his Employment. His general Character, as I am well informed, is infamous in an uncommon Degree; that Reaſon alone, independant of any particular Charge, would induce me to exclude him from any Office of Truſt in the Company's Service.

(*a*) Vide Appendix, N° CL.

" Mr. Barwell.—During my long Reſidence in this Country, this is the firſt Time that I have heard the Character of Gonga Govind Sing being infamous. No Information I ever received, though I have heard many People ſpeak ill of him, ever pointed to any particular Act of Infamy committed by Gonga Govind Sing. I have no intimate Knowledge of Gonga Govind Sing. What I underſtand of his Character has been from Natives as well as Europeans. I am againſt his Diſmiſſion.

" Mr. Monſon.—Cumul ul Dien Cawn I underſtand to be a Man of an equivocal Character; I therefore ſhould not regard his Charge againſt Gunga Govind Sing, if I had not heard, ſince my ſhort Reſidence in this Country, that Gonga Govind Sing is a Man of a moſt rapacious Diſpoſition; which Character, I think, is confirmed by the Wealth and Affluence he now enjoys, being eſteemed one of the moſt wealthy Inhabitants of Calcutta. I think a Perſon of an avaricious Diſpoſition and high Ambition is not proper to be entruſted in the Company's Service, eſpecially with that Degree of Influence which I am told he poſſeſſes over the Minds of many principal People in this Country; I therefore think he ſhould be removed from his preſent Employment.

" General Clavering.—The Cauſes of the Decreaſe of the Revenue, and the great Increaſe of the Balances, I have endeavoured to account for, in my Minute on the Petition of the Rajah of Rajeſhaby. I ſhould be wanting in the Performance of that Truſt and Confidence which the Legiſlature placed in me when it appointed me one of the Council of Bengal, if I did not uſe my beſt Endeavours to remove thoſe Cauſes to which the Company are to attribute the Loſs they have ſuſtained in the Revenue; a corrupt Duan of the Province is the great Channel through which all thoſe Evils have paſſed of which I have ſpoken; and I think it incumbent on me to declare, that in this Inſtance, and every other where I have Proof or Suſpicion that a Duan is corrupt, I will give my Vote to remove him. On the Evidence therefore before me, I think Gonga Govind Sing ſhould be removed from his Place of Duan of the Calcutta Provincial Council.

" Governor General.—I am againſt the Queſtion, becauſe I know of no Fault that he has committed, and have very good Reaſon to believe that he by no Means merits the Character which has been reported of him to Mr. Francis.—He had many Enemies at the Time that he was propoſed to be employed in the Company's Service, and not One Advocate among the Natives, who had immediate Acceſs to myſelf; I think, therefore, if his Character had been ſuch as has been deſcribed, the Knowledge of it could hardly have failed to have been aſcertained to me by ſpecifick Facts. I have heard him loaded, as I have many others, with general Reproaches, but have never heard any one expreſs a Doubt of his Abilities.

" Reſolved he be diſmiſſed from his Station of Naib Duan to the Provincial Council of Calcutta; and the Council adviſed accordingly (*a*).

Signed at the End of the Conſultation,

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Rich[d] Barwell,
P. Francis."

The Managers for the Commons ſtated, they ſhould next proceed to prove, that the Moment Mr. Haſtings acquired a Majority in the Council at Calcutta, he reinſtated Gunga Govind Sing in his Office, and was blamed for ſo doing by the Court of Directors.

Read, from Book 206, the following Extract of a Conſultation of the 8th of November 1776, beginning at Page 450 of the ſame Book.

" Fort William, the 8th November 1776.

Rev. Dept. Friday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General and Preſident;
Richard Barwell, and Philip Francis, } Eſquires.

Gov. Gen. Motion in favor of Cawn Jahan Cawn, and Gonga-Govind Sing.

" Governor General.—I move that Cawn Jahan Cawn, the late Fouzdar of Houghly, and Gonga Govind Sing, the late Naib of the Khalſa and Dewan of the Calcutta Diviſion, be reſtored to their Offices; and that Application be made to the Nabob for the Removal of the preſent Phozdar Mirza Mohdy Niſſar, and for the Re-appointment of Cawn Jahan Cawn.

Mr. Francis's Opinion.

" Mr. Francis.—I am againſt the Motion. The Offices are not theirs, and I know no Reaſon for the Removal of the preſent Poſſeſſors.

Mr. Barwell's Opinion.

" Mr. Barwell.—I approve of the Motion.

" Reſolved, agreeably to the Governor General's Motion. (*b*)

Signed at the End of the Conſultation,

" Warren Haſtings,
Rich[d] Barwell,
P. Francis."

(*a*) Vide Appendix, N° CLI.

(*b*) Vide Appendix, N° CLII.

Read,

Read, alſo, from the ſame Book, Page 471, the following Extract of a Conſultation of the 12th of November 1776.

" Fort William, the 12th November 1776.

" At a Council; Preſent, Rev. Dept. Tueſday.
The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell, } Eſquires.
Philip Francis, }

" In the Appointment that the Governor General has made of Officers to fill the new Office, he has very particularly ſet forth the Merits of Gunga Govind Sing, whom he had but a few Days before reſtored to his Office of Duan to the Calcutta Committee, as if the Office of Right belonged to him; it muſt be remarked, however, that the Governor General has been very guarded in not adding official Probity in the Encomiums which he has ſo liberally given to him. It is very well known, that he was diſmiſſed from his Office on an Accuſation of Comaul ul Deen Cawn, whoſe Teſtimony the Governor General cannot but admit, particularly as the Fact has been eſtabliſhed in the Supreme Court, on the Trial of Mr. Fowke, that he, Gunga Govind Sing, had taken from him Twenty-two thouſand Rupees colluſively for certain Purpoſes, and for which he was to allow Comaul ul Deen to run a certain Quantity of Salt. (*a*)

Signed, at the End of the Conſultation,

" Warren Haſtings,
Rich[d] Barwell,
P. Francis."

The Counſel for the Defendant deſired that the Governor General's Minute preceding the above Extract of General Clavering's Minute, and alſo his Anſwer to the ſaid Minute of General Clavering, might be read.

Read, the following Extract from Page 457 of the ſame Book.

§ (" Extract of the Governor General's propoſed Eſtabliſhment for the New Office.

" The known Abilities of Ganga Govin Sing will juſtify the Preference ſhewn to him in this " Appointment.—The Buſineſs in its Detail muſt be conducted by a Peſhhar. The Gentlemen " to whom the Governor General propoſes to commit the Direction of it, will think it no Deroga- " tion from their Characters, of which no Man can have an higher Eſtimation than he has; or a " more perfect Reliance on their Integrity, if he expreſſes it as has * Opinion, that the greateſt * Sic in Orig. " Experience which can fall to the Lot of any Covenanted Servant of the Company, will prove " unequal to the minute Inveſtigation of all the progreſſive Operations of the Revenue in this " Country, without the Aid of that profeſſional Knowledge which is poſſeſſed by the native Mutta- " ſeddies of Bengal, of whom Gonga Govin Sing is inconteſtably the Firſt.

" For the Reimburſement of the Charges of this Office, ſhould the Amount prove ſo conſider- " able as to require it, a ſmall Fee may be taken on each Aumul-nama or Cabuleeat to be granted " in the future Settlement, which will not effect the Jumma, nor be felt at ſuch a Time by thoſe " who will be required to pay it. (*b*)

(Signed) " Warren Haſtings.")

Signed, at the End of the Conſultation,

" Warren Haſtings,
Rich[d] Barwell,
P. Francis."

The Counſel for the Defendant informed the Houſe, That there was another Minute of Mr. Haſtings, in which he ſtates the Probity of Gunga Govind Sing as unimpeachable; but as they could not immediately point it out, they would defer the Production of it till another Time.

The Managers for the Commons ſtated, They would next proceed to ſhew what was the Opinion of the Court of Directors of the above Tranſaction.

Read, from Book 108, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 4th July 1777, beginning at Page 759 of the ſame Book.

Par. 44. " The Roy Royan was the regular Channel of ſuch Communications as require the Interpoſition of a Native, and not Gunga Govind Sing, whoſe Diſmiſſion from the Calcutta Com-

(*a*) Vide Appendix, N° CLII.

(*b*) Vide Appendix, ibid.

mittee

mittee had rendered him an improper Perſon to tranſact Affairs of ſuch Moment to the Company.

Signed, at the End of the Letter,

" Henry Fletcher,	George Wombwell,
John Smith,	W. Devaynes,
John Harriſon,	J. Purling,
Chas Boddam,	Fred^{k} Pigou,
R^{d} Hall,	John Roberts,
Samuel Peach,	Jno Michie,
George Cuming,	Richd Becher,
Thos Rumbold,	George Tatem,

Joſeph Sparkes."

The Managers for the Commons ſtated, they would next proceed to ſhew the Uſe for which Mr. Haſtings employed Gunga Govind Sing, when he was Dewan to the Calcutta Committee.

Read, the following Extract of a Letter from William Larkins Eſq. to William Devaynes Eſq. Chairman, or to the Chairman for the Time being, of the Honourable the Court of Directors, dated Calcutta, 5th Auguſt 1786, beginning at the 18th Paragraph of the ſame.

18. " Although Mr. Haſtings was extremely diſſatisfied with the Excuſes which Gunga Govind Sing aſſigned for not paying Mr. Croftes the Sums ſtated by the Paper, N° 1, to be in his Charge, he never could obtain from him any further Payments on this Account." (*a*)

The Managers for the Commons ſtated, they would next produce an Account annexed to the above Letter, to ſhew that Gunga Govin Sing was at that Time a public Defaulter.

The ſame was read, as follows:

" No. I. DUPLICATE.

" COPY of the Particulars of the Dates on which the component Parts of ſundry Sums included in the " Account of Sums received on the Account of the Honourable Company by the Governor General, or paid to their Treaſury by his Order, and applied to their Service," were received for Mr. Haſtings, and paid to the Sub-Treaſurer.

" DINAGEPORE.

" From 29 to 31	Sanwun 1186	—	89,999	0	0			
17 to 21	Bhaudun	—	49,974	0	0			
1 to 5	Aſſin	— —	27,000	0	0			
8	Pooſe	— —	25,000	0	0			
10	—	— —	15,000	0	0			
27	—	— —	10,000	0	0			
29	Maug	— —	20,000	0	0			
2	Faugun	— —	20,000	0	0			
4	—	— —	9,000	0	0			
12	—	— —	1,000	2	0			
9	Saurvum	— —	40,000	0	0			
						3,06,973	0	0
	18 and 19 Aſſin paid Mr. Croftes				—	2,00,000	0	0
					Remains —	1,06,973	0	0
					Charges —	9,310	0	0
	Balance in Charge of G. G. S.					—	97,663	0 0

(*a*) Vide ſupra Appendix, N° CXXXI.

" PATNA.

"PATNA.

12	Cheite	—	—	15,000	0	0	
18	—	—	—	10,000	0	0	
22	—	—	—	60,000	0	0	
23	—	—	—	5,000	0	0	
23	—	—	—	10,001	0	0	
28	—	—	—	60,000	0	0	
10	Byſack	—	—	10,000	0	0	
10	—	—	—	26,000	0	0	
12 to 14	—	—	—	20,000	0	0	
14	—	—	—	4,000	0	0	
2	Aſſin	—	—	1,800	0	0	
							2,21,801 0 0
	15 and 16 Byſack, paid Mr. Croftes					—	2,00,000 0 0
						Balance —	21,801 0 0

"NUDDEA.

15	Cawtic 1187,	—	—	16,001	0	0	
27	—	—	—	20,000	0	0	
28	—	—	—	20,000	0	0	
30	—	—	—	10,000	0	0	
4	Augun	—	—	7,749	0	0	
7	—	—	—	5,000	0	0	5,000 too much.
9	—	—	—	25,000	0	0	
	No Date	—	—	1,250	0	0	
24	Augun	—	—	15,000	0	0	
17	Pooſe	—	—	15,000	0	0	
22	—	—	—	20,000	0	0	
							1,50,000 0 0
	11 Augun, paid to Mr. Croftes					—	1,50,000 0 0

"Paid to Mr. Croftes:

19	Aſſin,	2,00,000
16	Byſack,	2,00,000
11	Augun,	1,50,000
		5,50,000

"Memorandum of the Cabooliats attended to in the above.

	Cabooliats.	Received.	Balance.
Dinagepore Peiſhcuſh	4,00,000 0 0	3,00,000 0 0	1,00,000 0 0
Nuddea —	1,50,000 0 0	1,50,000 0 0	
Patna —	4,00,000 0 0	2,00,000 0 0	2,00,000 0 0

(A true Copy.)

(Signed) "Wm Larkins.
5th Auguſt 1786." (*a*)

The Managers for the Commons ſtated, They would next proceed to ſhew what the Diſſatisfaction of Mr. Haſtings towards Gunga Govind Sing, mentioned in the above Extract from Mr. Larkins's Letter, was.

Read, from Book 228, the following Extract of a Conſultation of the 16th of February 1785, beginning at Page 227 of the ſame Book.

"Fort William, the 16th February 1785.

"At a Council; Preſent,
The Honourable John Macpherſon Eſquire, Governor General, Preſident;
and
John Stables Eſquire.

Rev. Dept. Wedneſday.

"The Secretary lays before * the following Minutes, and Papers accompanying them, from the late Governor General.

* Sic in Orig.

(*a*) Vide ſupra Appendix, N° XLIX.

16th February, Minutes of the late Gov. Gen. laid before the Board by the Secretary.

" The Governor General—The Regret which I cannot but feel in relinquiſhing the Service of my Honourable Employers would be much imbittered, were it accompanied by the Reflection that I had neglected the Merits of a Man who deſerves no leſs of them than of myſelf, Gunga Govind Sing, who, from his earlieſt Youth, had been employed in the Collection of the Revenues, was, about Eleven Years ago, ſelected, for his ſuperior Talents, to fill the Office of Dewan to the Calcutta Committee. He has, from that Time, with a very ſhort Intermiſſion, been the principal native Agent in the Collection of the Company's Revenues; and I can take upon myſelf to ſay, that he has performed the Duties of his Office with Fidelity, Diligence, and Ability. To myſelf he has given Proofs of a Conſtancy and Attachment which neither the Fears nor Expectations excited by the Prevalence of a different Influence could ſhake, and at a Time too when theſe Qualities were ſo dangerous, that far from finding them amongſt the Generality of his Countrymen, I did not invariably meet with them amongſt my own. With ſuch a Senſe of his Merits, it is natural that I ſhould feel a Deſire of rewarding them; for Juſtice, Gratitude, Generoſity, and even Policy demand it. And I reſort to the Board for the Means of performing ſo neceſſary a Duty, in full Confidence that as thoſe which I ſhall point out are neither incompatible with the Company's Intereſts nor prejudicial to the Rights of others, they will not be withheld from me. At the Requeſt therefore of Gunga Govind Sing, I deliver the accompanying Durkhauſts, or Petitions, for Grants of Lands lying in different Diſtricts, the total Jumma, or Rent, of which amount to Rupees 2,38,061 : 12 : 1. The Petition marked A, is preſented in the Name of his Truſtee Rhada Gobind Ghoſe, and ſolicits a Grant of Lands which are now totally vacant; the annual Rent now received by Government from thoſe Lands is 75,533 : 6 : 10; Gunga Govind Sing offers to pay the ſame Rent, with a Peiſhcuſh, or Fine, of Sicca Rupees 28,000. The Petition marked B is preſented in the Name of another Truſtee, named Bridjoo Kiſſore Ghoſe, and is for Lands which, though occupied, have no legal Owner; the annual Rent now payable to the Company for thoſe Lands is 92,528 : 4 : 15. He engages to pay the ſame Rent, with a Peiſhcuſh, or Fine, upon receiving the Sunnud, of Sicca Rupees 27,000 : 0 : 0. The Third Petition, marked C, requeſts only a Sunnud for Lands which he has actually purchaſed in the Name of his Truſtee Rhada Gobind Ghoſe, of the Perſons, and upon the Terms, ſpecified in the ſeveral Papers annexed to that Petition, and marked 1, 2, 3, 4. Theſe Lands, whilſt poſſeſſed by their late Owner, yielded to Government a Revenue of about Seventy thouſand Rupees, and they will continue to do the ſame in the Poſſeſſion of Gunga Govind Sing.

Governor General's Minute with Petitions for Sunnuds to be granted Gunga Govind Sing, &c.

" For ſome of theſe Lands he had, during my Abſence from Calcutta, preſented Petitions to Mr. Wheler, who referred them to the Committee of Revenue, where they were examined and approved, but have never yet received the Confirmation of the Board. For the Lands which he has actually purchaſed, I preſume, there cannot be the ſmalleſt Objection to giving him a Sunnud; nor do I ſuppoſe that the Board will heſitate to give him Sunnuds for thoſe comprized in the Petition marked A, ſince they are, to my own Knowledge, vacant, and confeſſedly therefore, by the Laws of this as well as of moſt other Countries, in the abſolute Gift of Government. Theſe, if not beſtowed on Gunga Govind Sing, will probably be granted to others much leſs deſerving of them. The Lands included in the Petition marked B, though no Perſon has a legal Claim to them, are not without immediate Occupiers. Poſſeſſion gives the Appearance of a Title which the Board will not perhaps chuſe to ſet aſide without Inveſtigation; and upon this Petition therefore I ſhall not urge an inſtant Deciſion.

" That I may not be conſidered as requeſting, even in Behalf of a Man who has ſo long and faithfully ſerved the Company, and who has conſequently ſome Claims upon their Juſtice and Generoſity, an Indulgence which can in the ſmalleſt Degree prejudice their Intereſts, I beg Leave to repeat, that theſe Grants can be attended with no Loſs to Government; for he engages to pay the utmoſt annual Rents which the Lands have ever yet produced, beſides a Peiſcuſh, or Fine, upon his receiving the Sunnuds, of Fifty-five thouſand Rupees; the Company conſequently, inſtead of loſing by the Grants which Gunga Govind Sing ſolicits, will not only gain the Peiſcuſh, or Fine, but will ultimately benefit in the ſuperior Cultivation which the Lands themſelves will receive from a Poſſeſſor, in all Reſpects ſo well able to improve them (*a*).

(Signed) " Warren Haſtings."

At the End of the Conſultation,

" John Macpherſon,
John Stables."

The Managers for the Commons ſtated, they would now call Mr. Wright, the Accountant of the Eaſt India Company, for the Purpoſe of ſhewing what was the Expence of collecting the Revenue of the Eaſt India Company under the old Eſtabliſhment, and what was the Expence of collecting that Revenue under the new one.

(*a*) Vide Appendix, N° CLIII.

Accordingly

Accordingly Mr. WRIGHT was called in, and being ſworn, was examined as follows:

Q. What Book is that you have in your Hand?
A. The Proceedings of the Council of Revenue upon the 1ſt of April 1785.

Q. Have you any Account of the Expence of collecting the Revenue of the Eaſt India Company anterior to the Eſtabliſhment of the Committee of Revenue in the Year 1781,—and any Account of the Expence of collecting that Revenue poſterior to that Date?
A. On the Revenue Conſultations of the 18th of May 1785, there is ſuch an Account; it begins in 1772-3, and ends in 1783-4. The Title is, "Particulars of the Charges in the Revenue Department." The grand Total of theſe Charges in 1772-3, is 41,56,970 Rupees.

Q. What was the Amount of the Expence in the Year 1778, and 1779, and downwards?

The Witneſs read the following Extract:

"YEARS. Bengal Year.		Bahar Year.		Engliſh Stile.		Grand Total of Charges in the Revenue Department:
1185	or	1186	or	1778-9	——	56,45,946 : 13 : 5 : 2
1186	or	1187	or	1779-80	——	56,80,637 : 2 : 1 : 0
1187	or	1188	or	1780-1	——	60,98,510 : 3 : 5 : 3
1188	or	1189	or	1781-2	——	66,55,869 : 7 : 16 : 0
1189	or	1190	or	1782-3	——	59,63,660 : 14 : 5 : 0
1190	or	1191	or	1783-4	——	71,29,093 : 14 : 4 : 1

"Fort William, 18th May 1785.

(Signed) "Charles Croftes,
Accompt. Genl. to the Revc. Dept."" (a)

Then the Witneſs proceeded as follows:

This Account goes no further than 1783-4.——I have prepared from the Statements at the India Houſe an Account of the Year 1784-5, and find the Total Charges in that Year were 73,73,738 Rupees.

The Witneſs ſpoke from a Paper, which, by Conſent, was delivered in, and is as follows:

(a) Vide Appendix, N° CLIV.

PARTICULARS of the CHARGES defrayed in the REVENUE DEPARTMENT. (*a*)

YEAR.			Charges of collecting.		Total.	Charges Zemindary.	Charges of the Civil and Criminal Courts.			Law Charges.	Charges Poolbundy.	Charges Buildings and Repairs.	Hill Charges.	Dawk Charges.	Charges Police.	Allowances to Members of the late Provincial Councils.	Sebundy Charges.	Grand Total of Charges in the Revenue Department.
Bengal Year.	Behar Year.	Engliſh Stile.	Charges Collections.	Charges General.			Charges Dewanny Adawlut.	Charges Foufdarry Adawlut.	Total.									
1191 or	1192 or	1784-5	23,08,007	3,88,484	26,96,491	22,14,084	9,88,970	4,28,697	14,17,667	13,500	2,94,652	23,010	62,024	30,249	67,751	1,44,099	4,10,211	73,73,738

" East India Houſe,
23d February 1790.

Errors excepted.

" Wm. WRIGHT,
Auditor of Indian Accounts."

(*a*) Vide Appendix, N° CLV.

Then the Witneſs was aſked,

Q. Have you any Account of Allowances paid to the Members of the Council of Revenue, from the Year 1780-81, when they were firſt appointed, down to the Year 1784-5?
A. I have.

The Witneſs ſpoke from another Paper which, by Conſent, was alſo delivered in, and is as follows:

" Amount of Commiſſion drawn by the Committee of Revenue on the Bengal Revenues, from February 1781 to February 1785.

March 1781 to April	1782	—	—	Sicca Rupees	3,88,063
May 1782 to April	1783	—	—	—	3,49,028
1783	1784	—	—	—	3,67,206
May 1784 to Feb.	1785	—	—	—	3,07,895

" The above was, by the Board's Orders of 9th February 1781, to be divided as follows:
6-25ths to the Preſident of the Committee,
5-25ths to each of the Three Members,
4-25ths to be divided between the Secretary to the Committee and the Preparer of Reports."

Then the Witneſs was aſked,

Q. What was the Share of each Member of that Committee?

The Witneſs read the following Extract from the ſame Paper.

" The Preſident's Share was therefore as follows:

1781-2	—	—	—	S[a] R[s]	93,132
2-3	—	—	—	—	83,766
3-4	—	—	—	—	88,128
4-5	—	—	—	—	73,896

" Each Member's Share was:

In 1781-2	—	—	—	—	77,610
2-3	—	—	—	—	69,805
3-4	—	—	—	—	73,440
4-5	—	—	—	—	61,580.

" Eaſt India Houſe, 23d Feb. 1790. Errors Excepted. W[m] Wright, Aud[r] of Ind[n] Acc[ts]."

" The foregoing Account is extracted from the Monthly Accounts of the Committee of Revenue from March 1781 to February 1785, incluſive."

Q. *(by a Lord)*. Theſe Papers contain only the Collections which you have made, and no other Matters?
A. Nothing more.

The Counſel for the Defendant deſired, That the Particulars of which the above aggregate Sums were compoſed, might be entered in the Appendix.

The following Queſtion was put to the Witneſs:

Q. *(by a Lord)*. You have taken theſe Sums from a Variety of Books ready to be produced?
A. Yes.

The Managers for the Commons ſtated, That they had no Objection to the component Parts of the above aggregate Sums being entered in the Appendix. (*a*)

Q. (*Croſs examined*). The Witneſs having ſtated that there was an Increaſe in the Charges in the Revenue Department of near 4 Lacks in 1779-80 from what it was in 1778-9, Whether in thoſe Charges there were not the Penſions or Allowances to the diſcharged Members of the Revenue Council?

The Managers for the Commons ſaid, They admitted there were.

Q. Whether the Increaſe of the Charges defrayed in the Revenue Department, which appears in 1780-81 beyond that of the Year 1779-80, amounting to between Three and Four Lacks, is not occaſioned, and to what Extent occaſioned, by the Payment of certain Allowances and Penſions to the Members of the Revenue Councils, who had been removed before this Committee was appointed?
A. There is no ſuch Article of Expence in that Year.

(*a*) Vide Appendix, N° CLVI.

Q. *(by a Lord)*. Do you know the Penſions that were allowed to the Members of the Provincial Council that were diſcharged?

A. They are ſtated in the Account, the Title of which I read, in 1781-2; they amount to 1,48,000 Rupees.

Q. The Queſtion is, whether upon the caſting of that Account, that Sum ſo charged for the Penſions of the diſcharged Provincial Council, does not account for the ulterior Charge upon the Revenue?

A. To the Extent of 1,48,000 Rupees.

The Managers for the Commons, and the Counſel for the Defendant, being aſked, Whether they were agreed upon the Fact, that the Increaſe of the Eſtabliſhment was owing in Part to the Expence of Penſions allowed to the diſcharged Members, anſwered in the Affirmative.

Q. *(by a Lord)*. Do you know from the Books you have conſulted, whether the India Company did, at any and what Time, take into their own Management the Salt Revenue?

A. They did about the End of the Year 1780, upon a new Plan.

Q. Was there any Charge incurred, and which was placed to the Account of the Charge of Collections ariſing from that Management?

A. Not in the Account that I have ſtated.

Q. What Increaſe of Revenue upon the Whole was there during the Three Years immediately following the Abolition of the Provincial Councils, and the Subſtitution of the Commiſſion of Revenue received by the Company?—Can you ſtate from the Examinations you have gone through, how the Revenue was increaſed in thoſe ſeveral Years, in which you have ſtated what the Increaſe of the Charges was?

A. *There is an Account to* that Effect entered in the ſame Book in the ſame Day's Conſultation, which is called "An Abſtract," including the Whole of the Land Revenue of the Soubahs, *from the Bengal and Bahar Years 1179-80 to 1190-1* incluſive, which in Engliſh Style correſponds to the Years *1772-3* and *1783-4*.

Q. Specify the reſpective Increaſes in each of the Years you before mentioned?

A. In the Year *1778-9*, the Net Collection Account of the Revenues in the current Year, was — — — 173,95,871 Rupees

In 1779-80	—	—	—	180,21,226
In 1780-81	—	—	—	165,84,181
In 1781-2	—	—	—	189,55,004
In 1782-3	—	—	—	188,24,855
In 1783-4	—	—	—	181,93,491

Q. State what is the groſs Increaſe in the Three Years immediately following the Abolition of the Revenue Council 1781-2, 1782-3, and 1783-4, over the Revenue in the Three Years preceding them?

A. The Sums are not ſtated here.

The Counſel for the Defendant deſired that the Witneſs might draw out ſuch Account, and that the ſame might be entered as read.

The ſame is as follows:

Nett COLLECTIONS.

Account of the Revenues of the Current Year paid into the different Treaſuries of the Revenue Department.

Bengal Years.		Behar Years.		Engliſh Stile.		
1185	or	1186	or	1778-9	—	1,73,95,871 : 4 : 4 : 3
1186	or	1187	or	1779-80	—	1,80,21,226 : 1 : 7 : 1
1187	or	1188	or	1780-1	—	1,65,84,181 : 10 : 11 : 2
						5,26,01,279 : 0 : 0 : 0
1188	or	1189	or	1781-2	—	1 89,55,004 : 5 : 8 : 1
1189	or	1190	or	1782-3	—	1,88,24,855 : 1 : 2 : 3
1190	or	1191	or	1783-4	—	1,81,93,491 : 15 : 10 : 1
						5,59,73,351 : 0 : 0 : 0
						5,26,01,279 : 0 : 0 : 0
					Increaſe	33,72,072 : 0 : 0 : 0

Then

Then the following Queſtion was put to the Witneſs:

Q. Whether that Plan ſo adopted by Mr. Haſtings in 1780, 1781, and 1782, has not continued down to the preſent Moment without any Alteration whatever, except putting at the Head of that Committee a Member of the Supreme Board, inſtead of a Preſident of their own Body?
A. I believe it has.

Q. (*by the Managers*). Whether one of the Members of the Supreme Board is not now put at the Head of the Committee of Revenue?
A. It is, by the Court's Order in the Year 1785.

Q. Whether there are not, through the whole Provinces of Bengal and Bahar, a certain Set of European Officers eſtabliſhed in each Diſtrict, called Collectors?
A. It appears ſo from what I have ſeen of the Records.

Q. Whether an Increaſe upon the General Rent Roll of the Country was not levied by the new Committee of Revenue in the Year 1781 and 1781-2?
A. There was.

Q. Do you know the Amount of that Increaſe?
A. From that Account, Part of which I have had the Honour to ſtate to your Lordſhips, it appears that the groſs Jumma or Settlement of the Revenues in 1780 and 1781 was 2,55,12,080; in 1781-2, 2,79,05,850.

Q. (*by Counſel*). Whether that Increaſe was made upon the Ryot or immediate Cultivator of the Soil, or whether it was made upon the Zemindar?
A. I cannot anſwer that Queſtion. I don't recollect the Proceedings of the Committee at the Time, ſufficiently to ſtate whether it was in one Inſtance or the other.

Q. (*by a Lord*). But it appears in the Books you refer to?
A. It will appear, I believe, on the Revenue Proceedings of 1781.

Q. That is in the ſame Book as you have been ſpeaking from?
A. No. This is the Council Revenue of the Year 1785.

Q. Whether there is not in that Book you have in your Hand, on the Conſultation of the 11th July 1785, an Account of the groſs Collections and actual Receipt into the Treaſury for 10 Years?
A. I have not that here.

The Counſel for the Defendant deſired, That the Account itſelf might be printed.

The Account is entered in a Conſultation of the 11th of July 1785, and is as follows:

" Fort William, the 11th July 1785.

" At a Council; Preſent,
John Stables Eſquire,
and
The Honourable Charles Stuart Eſquire.

Rev. Dept. Monday

" Extract from Mr. Stuart's Minute in reply to the Governor General's on his Plan for the Revenue.

Years.	Current Collectns	Collected Account Balances.	Groſs Collectn	Charges Colln	Actual Receipts into the Treaſury.
1772-3	2,37,29,763 11 3 –	18,88,226 12 1 –	2,56,17,989 11 13 –	41,56,970 9 18 2	2,14,61,019 1 14 2
1773-4	2,35,77,528 10 6 2	18,05,528 6 15 1	2,53,83,057 1 1 3	43,02,596 1 10 2	2,10,80,460 15 11 1
1774-5	2,37,20,882 8 6 1	17,40,399 7 9 1	2,54,61,282 5 2 –	41,51,272 13 15 –	2,13,10,009 2 10 2
1775-6	2,40,33,296 10 4 2	12,18,176 5 10 3	2,55,51,472 15 15 1	45,07,471 15 1 1	2,10,44,001 — 14 –
1776-7	2,36,21,604 8 8 1	13,94,769 — 18 3	2,50,16,373 9 7 –	49,05,739 5 13 1	2,01,10,434 3 14 3
1777-8	2,24,30,527 15 13 3	20,79,450 12 1 1	2,45,08,978 11 15 –	53,80,818 5 3 –	1,91,28,160 11 9 1
1778-9	2,30,41,818 1 10 1	19,19,747 2 14 3	2,49,61,565 4 5 –	56,45,946 13 5 2	1,93,15,618 6 19 2
1779-80	2,37,01,863 3 8 1	15,66,321 13 5 3	2,47,68,185 — 14 –	56,80,037 2 1 –	1,90,83,547 14 13 –
1780-81	2,26,82,691 13 17 1	14,24,542 — 10 2	2,41,07,233 14 7 3	60,98,510 3 5 3	1,80,08,723 11 2 –
1781-2	2,56,10,873 13 4 1	6,23,989 3 5 1	2,62,34,863 — 9 2	66,55,869 7 16 –	1,95,78,993 8 13 2
1782-3	2,47,88,515 15 7 3	6,50,461 11 13 –	2,54,38,977 11 — 3	59,63,660 14 5 –	1,94,75,316 12 15 3
1783-4	2,53,22,585 13 14 2	4,49,915 14 17 –	2,57,72,201 12 11 2	71,29,093 14 4 1	1,80,43,107 14 7 1

Signed, at the End of the Conſultation,
" John Stables,
Chas Stuart." (*a*)

The Managers for the Commons ſtated, They ſhould next proceed to ſhew the Acts of Mr. Haſtings relative to a Perſon of the Name of Kelleram, from whom Mr.

(*a*) Vide Appendix, N° CLVII.

Haſtings

Haſtings was charged, in the Sixth Article of Charge, to have received a Sum of Money amounting to Four Lacks of Rupees, and, in Conſideration of the ſame, to have let certain Lands in the Province of Bahar: That he had none of the Qualifications pointed out by the Court of Directors, or even by Mr. Haſtings himſelf, for the Situation in which he was placed. And, firſt, That he was notoriouſly known to be a Perſon of infamous Character.

The ſame was objected to by the Counſel for the Defendant.

The Managers for the Commons being heard in Anſwer to the ſaid Objection, and the Counſel for the Defendant in Reply,

The Houſe adjourned to the Chamber of Parliament.

The Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen of the Houſe of Commons, and Gentlemen of Counſel for the Defendant, the Lords have reſolved, That the Managers for the Commons be not admitted to give Evidence of the Unfitneſs of Kelleram for the Appointment of being a Renter of certain Lands in the Province of Bahar; the Fact of ſuch Unfitneſs of Kelleram not being charged in the Impeachment."

The Managers for the Commons ſtated, they ſhould next proceed to ſhew the Connexion between the Defendant and Kelleram, his Order for him to come to Calcutta, and the ſubſequent Tranſactions with him afterwards.

Read, from Book 231, the following Extract of a Patna Revenue Conſultation of the 31ſt of July 1780, beginning at Page 721 of the ſame Book.

" Patna, 31ſt July 1780.

" At a Conſultation; Preſent,

Mr. William Young, acting Chief;

Meſſrs. George Bright, Shearman Bird, Chriſtopher Keating, Henry Ramus.

Mr. Maxwell abſent.

" Fort William, 23d July 1780.

" Sir,

" I deſire that you will permit Rajah Kyaleram to come to Calcutta: I have ſent him an Order for that Effect.

I am, Sir,
Your moſt obedient Servant,
(Signed) Warren Haſtings."

" Mr. Young.

Read, further, Extract from ſame Conſultation, beginning at Page 733.

" The Acting Chief propoſes to the Board to determine how far we can with Propriety permit Rajah Kyalleram, in his preſent Situation, to proceed to Calcutta immediately, in Conſequence of the Governor General's Letter to him, as quoted in the above Minute, or wait for an Anſwer to the Reference which has already been made. And the Queſtion being put,

" Mr. Ramus is of Opinion he ought to be permitted to go, in Conſequence of the Governor's Orders.

" Mr. Keating is of the ſame Opinion.

" Mr. Bird is of the ſame Opinion.

" Mr. Bright is of Opinion, that Rajah Kyalleram ought not to be permitted to go, in Conſequence of the Governor General's Orders.

(Signed) " G. Bright."

Read, a further Extract from ſame Conſultation, beginning at Page 735 of the ſame Book.

" Mr. Young is of Opinion that Rajah Kyaleram ſhould not depart from Patna till an Anſwer arrives to his Letter of the 27th to the Honourable Governor General, informing him of the Predicament in which Rajah Kyalleram ſtands.

" Reſolved, That Rajah Kyaleram be permitted to go.

" Rajah

" Rajah Kyaleram being called in, is informed of the above Reſolution; in Conſequence of which he requeſts a Guard of Sepoys to protect him down to Calcutta, which is granted; and he declares before the Board he leaves Mootyram his Vakeel for the Adjuſtment of his Waſſilaut.

(Signed at the End of the Conſultation)

" A true Copy.

W. A. Brooke,
Revenue Chief."

The Managers for the Commons ſtated, They would next proceed to ſhew, that a Leaſe was granted to Kelleram, and the Proceedings in granting the ſaid Leaſe.

Read, from Book 232, the following Extract of a Conſultation of the 14th November 1780, beginning at Page 299 of the ſame Book.

" Fort William, the 14th November 1780.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
Philip Francis,
and
Edward Wheler, } Eſquires.

Rev. Dept. Tueſday.

" The Governor General lays before the Board, amended Propoſals he has juſt received from Rajah Kullyan Sing, for farming the Province of Bahar; which he recommends for their Acceptance.

Amended Propoſals of Rajah Kullyan Sing laid before the Board by the Governor, and recommended for their Acceptance.

" Ordered, That they be tranſlated, and entered as follows:

" Tranſlation of an Arzee from Maha Rajah Kullyan Sing.

Petition of Kullyan Sing.

" Having repeatedly explained the Condition of the Soubah Bahar, deſiring to ſee the Proſperity of the Government, after much Enquiry, I have perfected a Form of Settlement for the Year 1188 Fuſly, and now ſubmit the ſame to you, thinking it is attainable, if immediate Permiſſion be granted, yet with great Difficulty.

" Two Months are already elapſed of this Year's Collection; the Hill Banditti have ſeized the early Harveſt, and the Lateneſs of the Order for Settlement will encreaſe the Loſs of Revenue.

" In the Propoſal, ſome Mehals are deſired in the Mocurrery Mode, becauſe in thoſe an extreme Deſolation has prevailed; and, to enſure Succeſs in their Cultivation, great Diſburſements of Money for Gillundauzee, Tuccary, &c. are neceſſary; Agriculture cannot be reſumed without a Mocurrery Engagement.

" In Hope from that Tenure, the Men whoſe Names are inſerted will pay the Expences of Cultivation, and alſo the Revenue of the Government, without Deficiency; and the ſame Form of Settlement ſhall be continued in future.

(Signed)

" Francis Baugh,
Tranſlator."

Accompanying Kullyan Sing's Petition.

"FORM of SETTLEMENT.

		Present State.	Proposed Increase.	Jumma.
	The Soubah for the Year 1188 Fusly, — — — —	29,08,343 : 12 : 9	5,00,000 : 0 : 0	34,08,343 : 12 : 9
a	Pergunnah Belung and others, formerly under my Servants, by Turlick Tahood; now, I hope, Rajah Merja may be established therein by Turuk Mocurrery. — — —	2,60,698 : 3 : 0	35,000 : 0 : 0	2,95,698 : 3 : 0
b	Pergunnah Aikul and others, were under Modun Lol and others; now, I hope, Koonnur Bowlut Sing may be favoured with them on Tureeck Mocurrery. — — —	1,18,000 : 0 : 0	15,000 : 0 : 0	1,33,000 : 0 : 0
	Sunnut and others, formerly let yearly, now disengaged; Rajah Bowanny Sing, my own Brother, hopes they may be granted on Tureeck Mocurrery to him. — — —	2,75,681 : 0 : 0	76,000 : 0 : 0	3,51,681 : 0 : 0
	Sircar Tirhut.—Mr. Young, when One Year of Roy Mohun Lol's Agreement was unexpired, lost about 50,000 Rupees, having granted a Mocurrery Sunnud of it to Rajah Madoo Sing; this was improper; I hope it may be granted on a Tureeck Tahood of Five Years to Rajah Bowanny Sing. — — — — — — —	2,46,324 : 6 : 6	80,000 : 0 : 0	3,26,324 : 6 : 6
c	Purgunnah Choinpore, Saseram and others, with Perron and Nonour, were the last Year under Rajah Kially Ram; he hopes still to be favoured with them by Tureeck Mocurrery. —	6,32,000 : 0 : 0	50,000 : 0 : 0	6,82,000 : 0 : 0
d	Pergunnah Bisarah and Cusumboor were with Ram Golaum last Year; now Yar Ally hopes by Tureek Mocurrery to be established in them. — — —	1,86,002 : 0 : 0	31,000 : 0 : 0	2,17,002 : 0 : 0
	Purgunnah Grindhoun Amortho Gopeenaut hopes he may be favoured with on Tureeck Mocurrery. — — — — — —	5,841 : 12 : 0	2,000 : 0 : 0	7,841 : 12 : 0
e	Havely Arzeemabad and others, Mucney Lol hopes for by a Tureeck Tahood of Five Years.—He is a good Man. — — — — —	1,45,606 : 0 : 0	65,000 : 0 : 0	2,10,606 : 0 : 0
f	Nirhut Samoy, Mulkee Bulleah and others, Men Julfaker Ally hopes to have granted him on Tureek Mocurrery. — — — — —	2,18,017 : 3 : 3	60,000 : 0 : 0	2,78,017 : 3 : 3
	Khaspoor Tupheo Murrvah are fixed under Rajah Sadoo Ram by Mocurrery. — —	80,234 : 14 : 3	10,000 : 0 : 0	90,234 : 14 : 3
g	Nanegunge and others, formerly by Tureeck Mocurrery were established. — —	1,79,780 : 3 : 0	———	1,79,780 : 3 : 0
h	Erwul Museeda and others, with Farmers and Zemindars well satisfied to pay — —	5,60,158 : 2 : 9	76,000 : 0 : 0	6,36,158 : 2 : 9
	Total —	29,08,343 : 12 : 9	5,00,000 : 0 : 0	34,08,343 : 12 : 9

The Letters in the Margin guide to Explanations on the other Page.

(1200)

"EXPLANATIONS.

Accompanying Kullyan Sing's Petition.

		a	Pergunnah Belunj, &c.		
			Belunj — — —		70,000 : 0 : 0
			Sereſa — — —		65,507 : 0 : 0
			Havely Bahar — —		54,000 : 0 : 0
			Pergunnah Ghiaſpoor — —		58,190 : 3 : 0
			Molda Zillah Cowſrah — —		13,001 : 0 : 0
					2,60,698 : 3 : 0
		b	Pergunnah Aikul, &c.		
			Aikul — — —		60,000 : 0 : 0
			Relegur Muſnud — —		58,000 : 0 : 0
					1,18,000 : 0 : 0
		*			
		d	Pergunnah Biſara, &c.		
			Biſara — — —		1,38,001 : 0 : 0
			Coſſumboor — —		48,001 : 0 : 0
					1,86,202 : 0 : 0
		e	Haveely Azeemabad, &c.		
			Azeemabad — — —		52,001 : 0 : 0
			Fulwarree — —		32,001 : 0 : 0
			Shawpoor Muneer — —		43,001 : 0 : 0
			Sourb Mehal — —		7,500 : 0 : 0
			Badelah D°. — —		1,301 : 0 : 0
			Shawjehanpoor — —		2,400 : 0 : 0
			Bicuntpoor — —		1,301 : 0 : 0
			A Part of Munwarah — —		4,801 : 0 : 0
			Pumbah Nacoſs — —		1,300 : 0 : 0
					1,45,606 : 0 : 0
			Nirhut Samoy, &c.		
			Nirhut Samoy — — —		1,32,015 : 3 : 3
			Mulkee, &c. — —		86,002 : 0 : 0
					2,18,017 : 3 : 3
			Naſregunge, &c.		
			Naſregunge — —		3,500 : 0 : 0
			Dehaut ſur Shecum, under Rajah Mourledher — —		1,305 : 0 : 0
			Nuzzerana from the Dutch —		10,000 : 0 : 0
			Half of Sanwrah Bulleah —		24,924 : 0 : 0
			Pergunnah Bulwarrah — —		29,405 : 0 : 0
			Tillaurah — —		75,001 : 0 : 0
			Havely Rates — —		12,613 : 0 : 3
			Talook Dergboje Sing — —		21,231 : 2 : 9
			Suddaurut — —		1,801 : 0 : 0
					1,79,780 : 3 : 0
			Erwul Muſuda, &c.		
			Erwul Muſuda — —	80,000 : 0 : 0	10,000 : 0 : 0
			Half Saunweah Bulleah —	21,501 : 0 : 0	1,500 : 0 : 0
			Jaghire Iſhmael Ally Khan —	7,000 : 0 : 0	500 : 0 : 0
			Sircar Shawabad, without Peroſe and Nunour — —	3,66,802 : 3 : 3	54,000 : 0 : 0
			Sercolly — —	50,001 : 0 : 0	3,000 : 0 : 0
			Balagunge — — —	16,781 : 14 : 9	3,500 : 0 : 0
			Neipoar — —	18,072 : 0 : 9	3,500 : 0 : 0
				5,60,158 : 2 : 9	76,000 : 0 : 0
5,61,000 : 0 : 0					
71,000 : 0 : 0					
6,32,000 : 0 : 0					

* Cheinpoor, &c. — Cheinpoor Peroſe and Nenour

* Sic in Orig

(Signed) " Francis Baugh, Tranſlator.

Signed at the End of the Conſultation,

" Warren Haſtings,
P. Francis,
Edwd Wheler."

Read, from Book 225, the following Extract of a Conſultation of the 15th December 1780, beginning at Page 121 of the ſame Book.

" Fort William, the 15th December 1780.

Rev. Dept. Friday.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
and
Edward Wheler Eſquire.

" Extract of a Letter from William Maxwell, &c. Council, dated Patna, the 27th November 1780, to the Governor General and Council.

Par. 2d. " In our Letter of the 26th ultimo, which accompanied the annual Accounts of that Part of the Province of Bahar under our Management, for the Year 1187 Fuſſely, we acquainted you that the advanced Seaſon of the Year made it abſolutely neceſſary for us to form the Settlement for 1188, to prevent any Loſs accruing to Government; we have now completed it with a Succeſs which has far ſurpaſſed our Expectations, and on Terms much ſuperior to any Settlement made for many Years paſt. The Paper marked N° 1, exhibits the Settlement for 1188; and that marked N° 2, which contains a comparative Account of it with that of 1187, will explain to you the Alterations and Changes which have taken place in the ſeveral Diſtricts.

Par. 3d. " We have continued all ſuch Farmers in Office, as by their Conduct had merited our Approbation, and were willing to renew their Engagements, except the Renter of Shawpore Munner, whom, from his Oppreſſions, and the numerous Complaints preferred againſt him by the Ryots, we found it abſolutely neceſſary to remove.

Signed at the End of Conſultation,

" Edwd Wheler."

Read, further Extract from the ſame Letter and the ſame Conſultation, beginning at Page 125 of the ſame Book.

Par. 6th. " The Settlement we have made of the Diſtricts under our Charge, is for the preſent Year only. All the Engagements have been accepted on the expreſs Condition of their being approved of by you; and that the Renters might not be tempted to encreaſe their preſent Profits at the Expence of the future Revenue, they have engaged to pay the ſame Rent for next Year, ſhould Government think proper to grant them a Renewal of their Leaſes.

Par. 7th. " It is our Opinion that the preſent Settlement is formed on Terms of ſuch Security, as to leave little Room to apprehend that there will be any Balance at the Cloſe of the Year: and we beg Leave to aſſure you that the moſt unremitted Care and Attention ſhall be paid on our Parts to complete it."

Read, the following Extract of a Conſultation of the 19th December 1780, beginning at Page 171 of the ſame Book.

" Fort William, the 19th December 1780.

Rev. Dept. Tueſday.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
and
Edward Wheler, Eſquire.

" Read and approved the Proceedings of the 15th inſtant.

" The Secretary lays before the Board the comparative Account of the Settlement made by the Provincial Council of Patna, of the Province of Bahar for the Bahar Year 1188, and the Propoſals delivered by Rajah Kullyan Sing, which was ordered to be prepared laſt Council Day.

" Comparative

" Comparative View of the Settlements reſpectively propoſed by the Chief and Council at Patna, and by Rajah Kullyan Sing, for the Province of Bahar (excluſive of Sircar Sarun, &c.) for the Fuſuly Year 1188.

Kullyan Sing's Allotments.		Settlement propoſed by the Chief and Council of Patna.	Settlement propoſed by Rajah Kullyan Sing.
1ſt.	Belunjeer Pelich Maldar; Seriſſa; Havely Behar; Ghyaſpoor and Cooſra — — —	2,85,699 3 0	2,95,698 3 0
2d.	Aikul and Relegur Muſnud, or Rutty Gudhaſſon	1,19,001 0 0	1,33,000 0 0
3d.	Sunnout, &c. — — — — —	3,45,681 0 0	3,51,681 0 0
4th.	Sircar Tirhut — — — — —	2,50,590 6 9	3,26,324 6 6
5th.	Cheinpoor Saſſeram; Serris Kotomba; Charcoan Perou and Nenoor — — — —	6,80,116 6 2	6,82,000 0 0
6th.	Beſara and Caſumboor, or Cuſmar — —	2,00,002 0 0	2,17,002 0 0
7th.	Gundhore or Giddore — — — —	5,841 12 0	7,841 12 0
8th.	Azeemabad, Fulwarra, Shahpore, Munneer; Surb Mehal; Badela; Shahjehanpore; Bycuntpore; Munwarah and Pumbah, or Pate Necauſe —	2,04,104 0 0	2,10,606 0 0
9th.	Nurhut Samoy, and Mulkee, and Bulleah and Buſſarey — — — — — —	2,50,617 3 3	2,76,117 3 3
10th.	Khaſpoor, or Hajypoor, and Tuppeh Murwaſh	90,234 14 3	90,234 14 3
11th.	Naſergunge; Raja Moorleedur's, Serſhikun Villages; Dutch Nuzerrana, 1ſt Quota of Sawmah, or Sandeh-Belleah; Pergunnah, Butwarrah, Tilwara; Havely Rotas; Talooka of Dergbeja Sing, and Suddarut — — — —	1,79,979 9 9	1,77,980 3 0
12th.	Arwul Muſſodah, or Maſſorah: 2d Quota of Saunrah, or Sandeh, Belleah, Sircar, Shahabad (without Perow and Nunour) Sercolly, or Shairgotty, Neypoor, and Balgunge, or Ballgutch	6,05,417 11 7	6,35,733 2 9
	Total —	32,17,285 2 9	34,04,218 12 9

EXPLANATIONS.

" The 1ſt Column exhibiting the Patna Council's Jumma, agrees in its Total with their Statement all to 3 Pice, which it has been allowed to exceed in, to make it coincide with Kullyan Sing's Statement of Peroo and Nenoor (Article 5th), which he deducts from Shahabad (Article 12th), and ſtates at Rupees 71,000, whereas it ought to have been theſe 3 Pice leſs.

" In the 8th Allotment Kullyan Sing ſtates the laſt Year's Jumma of Bycuntpoor to be only 1,301 Rupees, whereas the Patna Council make it 7,000 Rupees more; which Difference is however brought again to account by Kullyan Sing in the laſt Article (12th), under the ſeparate Head of the Jaguir of Iſhmael Ally Khan.

" The Deficiency between the Sum Total of the 2d Column, exhibiting Kullyan Sing's Propoſals, and the ſaid Aggregate as ſtated in his own Account, is Rupees 4,125; which is owing to the following Deductions the Board have lately made in the Jumma, and which he has not noticed; viz.

Suddarut Mehal (11th) — — —	1,800
In Behader Sing's Jumma, (Article 9th) — —	1,900
Jaguir of Roy Jadoram given up (Article 12th) — —	425
Total as above — —	Rs 4,125

which do not therefore appear in this Statement.

" But on the other Hand he has miſtated, in his own Favor, the Mokurery Jumma of Tirhut, making it 4,266 : 0 : 3 leſs than the Patna Council, which being on account of the reſumed Jaguir of Meerſyf Ulla, ſhould therefore be added to the Sum Total above mentioned, and

will make the general Total of his Propoſals, Sicca Rupees 34,08,484 : 13; which is juſt 1,91,199 : 10 : 3 more than the Settlement made by the Chief and Council of Patna.

" The Names of Places have been ſpelt as they reſpectively ſtand in the 2 ſeparate Engliſh Accounts, of which this is the Abſtract; viz. The tranſlated Propoſals of Kullyan Sing, and the Settlement Account received from the Chief and Council at Patna.

Propoſals of Rajah Kullyan Sing accepted.

" Agreed, That the Propoſals of Rajah Kullyan Sing, with the Corrections made in the comparative Statement, be accepted, and that a Mocurrery Sunnud be granted for the ſame, with a Clauſe, that it ſhall continue ſuch, ſo long as the Payments of the ſtated Kiſts are regularly made, and no Oppreſſions exerciſed on the Inhabitants; that he ſhall prefer no Claims for Deductions on the Plea of Drought or Inundation, or any other natural Cauſe, nor urge any Plea for the ſame, nor claim, as a Right, any Deductions for Paymalee, or the Ravages of Enemies; that whatever the Board may, at any Time, think it proper to grant on this laſt Account, ſhould a Caſe happen (which God forbid), to require it, ſhall be given and received merely on the Footing of an Indulgence. Rajah Kyallyram, the Naib of Rajah Kullyan Sing, being called before the Board, and theſe Conditions propoſed to him, declares his Aſſent to them.

Rajah Kyallyram called before the Board, his Aſſent to the Conditions propoſed to him.

Sunnud and Caboleat ordered.

" Ordered, That they be formed into Clauſes for the Settlement, and that a Sunnud and Caboleat be immediately prepared at the Khalſa for Rajah Kullyan Sing, and ſeparate Sunnuds for the Farmers, agreeably to the Terms of the Settlement.

Khelaut to be prepared.

Patna wrote to.

" Ordered, That a Khelat be prepared for Rajah Kullyan Sing, and Kyalleram. Agreed, That the Provincial Council of Patna be written to as follows. (*a*)

Signed at the End,

" Edwd Wheler."

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide Appendix, N° CLVIII.

Die Jovis, 22° Aprilis 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons deſired a Miſtake in the printed Minutes, Page 1157, might be rectified, it being there ſtated, " That the Managers for the Commons ſtated they would next proceed to ſhew how many of the Bills produced in Evidence were realized in the Months of October and November 1781, and how many were realized before the End of January 1782;" whereas it ſhould have been ſtated, That the Evidence the Managers were then about to produce, was to ſhew how much of the 100,000 l. mentioned in the Letter from Mr. Haſtings, dated Patna, 20th January 1782, was received prior to the Time of that Letter being written.

The ſame was ordered accordingly.

The Managers for the Commons ſtated, they would next proceed to ſhew all the Circumſtances attending the Appointment of Kelleram to be Renter of the Lands in the Province of Bahar, and the Conſequences that followed from it.

Read, from Book 227, the following Extract of a Conſultation of March 30th 1781, beginning at Page 332 of the ſame Book.

" Fort William, 30th March 1781.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
and
Edward Wheler Eſquire.

Rev. Dept. Friday.

" Agreed, That Rajah Kyallyram be appointed Naib, and that a Sunnud be prepared confirming him in the ſame accordingly.

Signed at the End of the Conſultation,
" Edwd Wheler." *(a)*

Read, the following Extract of a Conſultation of the 25th of May 1781, beginning at Page 744 of the ſame Book.

" Fort William, the 25th May 1781.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
and
Edward Wheler Eſquire.

Rev. Dept. Friday.

" The Preparer of Reports to the Revenue Department delivers in, for the Signature of the Honourable the Governor General, the ſeveral Mohcurery, and other Sunnuds ordered by the Board on the 19th of laſt December for the different Mehalwary Ajazadars, or Farmers of Diſtricts in the Behar Province, as applied for in the Derkhaſts or Propoſals made for the general Settlement by Rajah Khyalaram, on the Part of Rajah Kullyan Sing, the Head or Sudder Farmer.

" There are in all Eleven Sunnuds, Nine of which are Mohcurrery, and Two for a fixed Term of Five Years; of both of theſe, the Preparer of Reports delivers in the Tranſlation of One, as a general Specimen of each Kind, for the Board's Conſideration; the Liſt of the Farmers, the Mehals they rent, and the Amount of their Jumma, is as follows. *(b)*

Signed at the End of the Conſultation,
" Edwd Wheler."

(a) Vide Appendix, N° CLIX. *(b)* Vide Appendix, N° CLX.

Read, further Extract from the ſame Conſultation, beginning at Page 756 of the ſame Book.

" The Sunnuds mentioned in the above Report being approved by the Board, the Originals are now ſigned by the Governor General, including the Three ſeparate ones requeſted by Zulficar Ali, which the Board are willing to allow him inſtead of One general Sunnud, as applied for in the Derkhaſt or Propoſals for the Settlement.

" Ordered, That they be delivered to the Parties. (*a*)

Signed at the End of the Conſultation,

" Edwd Wheler."

The Managers for the Commons ſtated, they would next proceed to ſhew that Kelleram fell into great Balances with the Eaſt India Company, in conſequence of the above Appointment.

The ſame was objected to by the Counſel for the Defendant.

The Managers for the Commons being heard in Anſwer to the Objection, and the Counſel in Reply,

The Houſe adjourned to the Chamber of Parliament.

(*a*) Vide Appendix, N° CLX.

Die Martis, 27° *Aprilis* 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Houſe of Commons, and Gentlemen, of Counſel for the Defendant, the Lords have reſolved, 'That it is not competent to the Managers for the Commons to give Evidence upon the Charge in the Sixth Article, to prove that the Rent at which the Defendant, Warren Haſtings, let the Lands mentioned in the ſaid Sixth Article of Charge, to Kelleram, fell into Arrear and was deficient.'—Gentlemen, Managers for the Houſe of Commons, you may proceed to make good your Charge."

The Managers for the Commons ſtated, they would next proceed to ſhew that no Security of any Sort or Kind was taken from Kelleram; for which Purpoſe, they deſired Mr. Hudſon might be called.

Mr. HUDSON was accordingly called in, and examined as follows:

Q. You are converſant with the Books of the Eaſt India Company?
A. Yes.

Q. Have you found, from your Search through thoſe Books, that any Security was taken by Mr. Haſtings in the Year 1781 from thoſe Perſons to whom he let the Province of Bahar—any collateral Security?
A. I believe not.

Q. What was the Security taken?
A. A common Cabooleat.

Q. Is it the uſual Practice, ſo far as you find from examining the Books of the Eaſt India Company, to take Security from the Farmers?
A. I cannot ſay whether in all Caſes.

Q. Is it the general Practice?
A. It is the Practice ſometimes, but I cannot ſay whether it is general or not.

Q. Have you found, upon the Books of the Eaſt India Company, any Copy or Original of a Deed of Security or Obligation taken by Mr. Haſtings from Kelleram or Cullian Sing?
A. No; I have not.

Q. Is there any Thing that appears upon thoſe Books, that either does or does not ſhew that Mr. Haſtings delivered up, or handed over, to the Company any Thing for any Security from Kelleram or Cullian Sing?
A. Not that I have found.

(*Croſs examined.*) Q. Whether Cullian Sing had not a very large Jaghire in the Province of Bahar?
A. He had an Allowance, but how paid I do not know, whether by Jaghire or other Means.

Q. Do you know the annual Amount of it?
A. I think 50,000 Rupees—to the beſt of my Recollection.

Q. Do you know of ſome Allowance he had as the Son of Shitabroy, or to the Amount of a Lack and a Half of Rupees?
A. He had an Allowance as Naib of Bahar.

Q. To

Q. To what annual Amount?
A. I cannot recollect; it appears in the Conſultations.

Q. I wiſh you to recollect if he had not a Lack or a Lack and a Half a Year?
A. I do not recollect whether he had or not.

Q. Have you examined the Conſultations, ſo as to enable you to ſpeak accurately upon the Subject?
A. The Allowance will appear upon the Conſultations; I do not know whether it was a Lack, or a Lack and an Half, or what other Sum.

Q. Do you know whether, in the former Years, Securities had been taken from Perſons at Patna?
A. I do not know whether they were in farm before; I do not recollect; I have not examined.

Q. Whether Kelleram, in the Year 1780 and 1781, was or was not in Debt to the Eaſt India Company?
A. It appears from the Proceedings of the Eaſt India Company he was.

The Counſel for the Defendant deſired that the Fact might be proved from the Proceedings themſelves.

Then the Witneſs was directed to withdraw.

The Managers for the Commons informed the Houſe, they would next proceed to prove, that there was a regular eſtabliſhed known Fine which was taken in all Caſes, and what that Fine was; in order to ſhew that no Part of this Money could come under the Denomination or Deſcription of that Fine or Peſhcuſh.

Read, from Book 10, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William, to the Honourable Court of Directors, dated 25th February 1775.

14. "We have deemed it neceſſary, in order to prevent the Cauſes of Litigation amongſt the Land Holders, to remove the Objections which may have prevented the Zemindars and others from eſtabliſhing their Rights in exempting them from the heavy Impoſition of Peſhcuſh (or Tribute), which we underſtand was formerly a whole Year's Revenue, and have reduced it to a ſmall certain Fine, as an Acknowledgement to Government, for the Sake of retaining an ancient, and in ſome Reſpects a neceſſary Formality; and we hope this Step will meet with your Approbation.

Signed at the End,

"Warren Haſtings,
Geo. Monſon,
Rich[d] Barwell,
P. Francis."

Read, from Book 234, already delivered in, the following Extract of a Conſultation of the 8th of February 1775, beginning at Page 539 of the ſame Book.

"Fort William, the 8th February 1775.

"At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General Clavering,
The Honourable George Monſon,
Richard Barwell,
Philip Francis, } Eſquires.

Letter and Advertiſement circulated relative to Sunnuds.

"Reſolved, That the following Letter and Advertiſement be circulated to all the Provincial Councils, the Chief of Chittagong, and to the Superintendant of the Collections at Mongheer, &c.

L. S. No. 42.

"To Mr. C. W. Boughton Rous,

Chief, &c. Provincial Council of Revenue at Dacca.

"Gentlemen,

"Conſidering moſt of the diſputed Claims of Inheritance to have ariſen from the Proprietors neglecting to make out Sunnuds for their Zemindarries, we have thought it neceſſary to remove the Objections which may have prevented the Zemindars and others from eſtabliſhing their Rights by ſuch authentic Grants, in exempting them from the heavy Impoſition of Peſhcuſh on the Renewal

of every Sunnud, and reducing it to a fixed Payment, which may be made only as an Acknowledgment to Government, for the Sake of retaining an ancient, and, in ſome Reſpects, a neceſſary Formality.

" We have accordingly reſolved, That the Peſhcuſh be hereafter paid in Gold Mohurs, either into the Provincial Cutcherries or to the Khalſa, before whichſoever the Claimant ſhall be required to make an Appearance either in Perſon or by his Vakeel; that the Peſhcuſh for a Zemindary, the annual Rent or Malguzarry of which is a Lack of Rupees or near it, ſhall be fixed at Fifty Gold Mohrs, and for other Portions of Inheritance in that Proportion.

" We, encloſed, tranſmit you an Advertiſement, which we deſire you will cauſe to be publiſhed throughout your Diviſion, and affixed at the Gates of your Cutcherry; and we enjoin you to take eſpecial Care that no more is exacted than the eſtabliſhed Fees on any Account whatever, and to puniſh any who ſhall be detected in the Attempt to exact more.

" We are, &c.

" Fort William, the 8th February 1775.

" ADVERTISEMENT.

" This is to give Notice to all Zemindars, Talookdars, and other Land-holders in the Provinces of Bengal, Bahar, and Oriſſa, and to all Perſons ſucceeding to Zemindarries, Talookdarries, or Portions of either, or to any other Land Property, or obtaining the ſame by Decrees of the Courts of Adawlut, or by Purchaſe, that they are required to take Sunnuds, or other official Title Deeds from the Cutcherry of the Diſtrict, to which they are ſubordinate, in all Caſes not exceeding 1,000 Rupees, (in this is included alienated or Charity Land, of which the Jumma, or Produce, is not more than 100 Rupees), and from the Khalſa, in all Caſes exceeding that Jumma, for which they are to apply to the Secretary to the Governor General and Council in their Revenue Department, when Sunnuds will be granted to the Proprietors after they ſhall have been expoſed for Three Months at the Publick Cutcherry, with an Advertiſement ſubjoined, That if any one has any Objection to the ſaid Sunnuds, he muſt make it within that Term; when that Term is expired, the Sunnud will be granted at their paying the eſtabliſhed Fees on the Receipt of ſuch Grants without any other Charge whatever, and the Sunnud will then remain unchangeable, except in the Caſes of Nonage, Idiotiſm, Lunacy, or Abſence from the Provinces, in which Caſe very good and ſufficient Reaſons can be aſſigned for the Claims not having been aſſerted in due Time. Theſe Caſes will be heard and adjudged by the Governor General and Council in their Character of Dewan. Advertiſement.

" In the Succeſſion to Zemindarries or Talookdarries, a Peſhcuſh will be demanded by Government, at the Rate of 50 Gold Mohrs for each Lack of Rupees Jumma, and for other Portions of Inheritance in the like Proportion, being at the Rate of One Gold Mohr per Jumma of 2000 Rupees.

" Thoſe Perſons who are deſirous to eſtabliſh their Rights to the Lands they hold, by renewing their Sunnuds, ſhall not be ſubjected to the Charge of Peſhcuſh, or any other Charge whatever, except the eſtabliſhed Fee to the Secretary.

Signed at the End of the Conſultation,

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Richard Barwell,
P. Francis."

The Managers for the Commons deſired Mr. Young might be called in.

Mr. YOUNG was accordingly called in; and being ſworn, was examined as follows:

Q. Are you acquainted with the Province of Bahar?
A. I am.

Q. In what Situation was you in the Province of Bahar?
A. I was a Member of the Provincial Council of Revenue.

Q. Are you acquainted with the Mode of letting Farms in that Diſtrict?
A. I am.

Q. Whether it is cuſtomary, upon letting Farms in the Province of Bahar, to reſerve or take a Fine, or a Peſhcuſh, to the Company, as a Conſideration for letting the Farms?
A. No Inſtance of the Kind ever happened while I was a Member there, or in any of the Leaſes that we made.

Q. How long was you a Member of that Provincial Council?
A. About Six Years.

Q. If

Q. If it had been the Cuſtom, do you think you could have been ignorant of it in ſo long a Service?

A. I can only ſpeak with regard to the Cuſtom in Bahar while I was there; I never knew an Inſtance of it in Bahar.

Q. Suppoſing it had been the Practice, during the Six Years that you were a Member of the Provincial Council, muſt it not have lain within your Knowledge?

A. No Inſtance came to my Knowledge.

Q. But muſt it not have come to your Knowledge if, in Fact, ſuch Inſtances had happened while you were a Member of the Provincial Council?

A. I think it muſt.

Q. Whether you were acquainted with the Circumſtance of the letting of the Province of Bahar to the Rajah Kelleram?

A. I recollect ſuch a Tranſaction took place in Part; the Leaſe was let to Cullian Sing and Kelleram; and the Leaſe, in Fact, ſtood in the Name of Cullian Sing, but Kelleram was conſidered as a Partner.

Q. Whether, if a Fine of 40,000 l. to be paid by Advance, or within the Courſe of a Year, was reſerved upon the Farm of the Province of Bahar, the Farmer would be qualified to fulfil an Engagement, fairly made according to the true Value of the Country.

A. I think he would not, according to the real Value of the Country; but he might have Property of his own, from which he might make good ſuch a Fine.

Q. Whether he could afford to pay ſuch a Fine, ſuppoſing his Bargain made at the full and juſt Value of the Farm?

A. I beg to obſerve, this ſeems to be Matter of Opinion; and as it is a Circumſtance in which I do not preſume to have one, I beg Leave to decline giving any.

Q. Whether, from the Knowledge you have of the Revenue, and of the local Circumſtances of that Country, and the Situation and Circumſtances of the Farmers, you are competent to give an Opinion in that Caſe?

A. I think I can.

Q. Then, upon thoſe Grounds, I deſire that you will give your Opinion.

The Witneſs deſired the Queſtion might be repeated.

Q. The Queſtion that is put to you is this, Whether a Renter, who takes the Province of Bahar at the full Value of the Farm, can afford, or, to ſpeak in the common Phraſe, Whether it is worth his while, to give £ 40,000 as a Fine for purchaſing ſuch a Farm?—Whether there be any Thing in the Circumſtances of that Province, to enable him to give £ 40,000 for the Purchaſe, in the Circumſtances in which Kelleram then ſtood?

A. I think, conſidering the Circumſtances in which Kelleram ſtood, he could not afford it.

Q. In what Circumſtances did he ſtand?

The Counſel for the Defendant objected to the Queſtion.

The Managers for the Commons being heard in Anſwer to the Objection, the laſt Anſwer of the Witneſs, and the Queſtion, were ordered to be read; and the ſame were read accordingly.

" A. I think, conſidering the Circumſtances in which Kelleram ſtood, he could not afford it.

" Q. In what Circumſtances did he ſtand?

The Managers for the Commons waived their Queſtion.

Q. Whether or no you have had any Tranſaction relative to the letting of that Farm while you was a Member of the Provincial Council at Bahar?

A. Yes. We made various Settlements of the Province of Bahar during the Time I was in the Provincial Council.

Q. Was your Anſwer, that you did make various Settlements of that Province while you were a Member of the Provincial Council?

A. We made various Settlements of that Province, either in the Whole or in Part, during the Time that I was a Member of the Provincial Council; and it will appear by the Records of the Company.

Q. Was there any Treaty ſubſiſting between the Council of Patna and any Perſon or Perſons, for the letting the whole Province of Bahar at the Time you was removed from the Council?

The

The Counſel for the Defendant deſired, the Witneſs might be previouſly aſked;

Q. (*by Counſel.*) Have you any other Knowledge of the Subject, but what you collect from the Records, either of the Company or of that Provincial Council?

A. I certainly had a perſonal Knowledge of the Subject, becauſe I was a Member of the Council.

Q. Whether that Treaty, which is inquired after as ſubſiſting between the Council of Patna and any Perſon, was reduced into Writing, and made Part of the Records of the Council of Patna?

A. I underſtand the Queſtion, but I could wiſh to know as to the Time, becauſe I ſtated there were various Settlements of the Province of Bahar.

Q. Then this is the Queſtion: Was there during your Time any Treaty ſubſiſting between the Provincial Council and any Perſon for taking the Part now in Queſtion?

A. At the Time that the Settlement was made with Kelleram, we had, the Provincial Council had, actually made a Settlement of the Province of Bahar previous to that Engagement with Cullian Sing and Kelleram.

Q. Was that done by Minute in Council, or in any other Manner?

A. When that Settlement was entered into, I think I was abſent at the Time from the Council, but I am pretty confident, and I believe I am certain, that the Settlement ſtands upon the Records of the Council at Patna.

Q. Was you preſent in the Provincial Council when the Settlement was made?

A. To the beſt of my Recollection I was abſent.

Q. Whether the Province of Patna was let to one Man as a Sudder Farmer, or to different Zemindars of the Country?

A. It was let principally to Zemindars, and ſome Part of the Country was let to Farmers.

Q. Was the Province of Patna ever within your Knowledge, while you were in the Provincial Council, let to one Man?

A. Never, while I was a Member of the Provincial Council.

Q. Were there any Payments or Sums of Money in Bahar paid to the Company, or for their Uſe, which made a Part of the Settlement, but which do not appear upon the Face of the Settlement you laſt made?

A. Excluſive of the Sums ſpecified in the Settlement, there was a Ceſs collected, which they called Reſum Caſana, at One and a Quarter per Cent. on the Amount of the Leaſe of the Perſons to whom we let the Lands.

Q. (*by a Lord*). That is, One and a Quarter per Cent. of the Rent reſerved upon the Grant?

A. Yes; upon the Grant.

Q. (*By the Managers.*) Was that a regular annual Payment?

A. It was.

Q. Was there, or was there not, any other Profit ariſing to the Company from your Settlement beſides that?

A. Excluſive of this, there was a Gain or Advantage to the Company of Batta.

Q. (*By a Lord.*) What is the Meaning of Batta?

A. It is the Exchange between Siccas and Sonat Rupees. It is proper I ſhould explain it: In ſome Parts of the Province of Bahar the Rent is paid in Siccas, in others in Sonats, and the Advantage of the Batta is the Exchange between one and the other, which, one Year with another, uſed to amount to 40,000 Rupees. Excluſive of theſe Two Articles, there is alſo an Article they call Tuckavy, which is Money advanced for the Purpoſe of Agriculture, paid in the Courſe of the following Year with a Profit of 25 per Cent.

Q. (*By a Lord.*) To whom paid?

A. To Government, by the Perſons who hold the Leaſe of the Country for the following Year.

Q. (*By the Managers.*) Were thoſe regular eſtabliſhed Payments?

A. The Reſum Caſana was an invariable Article; the Batta was not required of the Farmer, but was ſettled and appeared in the Treaſury Accounts at Patna. The Tuckavy depended upon Circumſtances, ſome Years more was advanced, ſome leſs; in general, about 20,000 Rupees.

Q. (*By a Lord.*) Who regulated the Meaſure of that?

A. It was regulated by the Patna Council, from their local Knowledge of the Situation and Circumſtances of the particular Diſtricts.

Q. (*By the Managers.*) Whether all theſe Sums you have mentioned did not appear as regular Payments, and were regularly carried to the Accounts?

A. Yes; they were.

Q. (*By*

Q. (*By a Lord.*) That is, the Accounts tranſmitted from the Provincial Council to the Council at Bengal?
A. Yes.

Q. (*By the Managers.*) Whether, from what you know of the Country of Bahar, it is more advantageous to the Inhabitants of that Country, that the Province ſhould be wholly let to one Man, or to the Zemindars and different Farmers?
A. I conceive this is Matter of Opinion; and if I am not abſolutely required to give it, I wiſh to decline it; and after all, I do not think I could ſpeak poſitively.

Q. At what Time were the Provincial Councils withdrawn from Patna?
A. Some Time in the Month of February 1781.

Q. After the Provincial Councils were withdrawn, was there any Check upon the Farmers?
A. Mr. Maxwell, our Chief, was left there in Charge of the Chiefſhip, and when we were diſmiſſed, we were ordered to deliver over our entire Truſt and Office to him.

Q. Whether there was any Check left in the Country, upon the Farmers Kelleram and Cullian Sing?
A. Mr. Maxwell was left avowedly with the Powers that the Provincial Council previouſly before poſſeſſed, at leaſt I never heard any Thing to the contrary; but in Addition to this Anſwer I beg to add, that the Letter which diſmiſſed us ſtates Mr. Maxwell as left in the temporary Poſſeſſion of the Chiefſhip.
Q. Had, in point of Fact, Mr. Maxwell Authority to ſtop the Farmers from any Oppreſſion whatever in the Country?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord.*) Had the Provincial Council any ſuch Power?
A. We had.

Q. Whether, under thoſe Circumſtances, Mr. Maxwell had that Power? What Knowledge have you of the Extent of Mr. Maxwell's Power, except what you alluded to juſt now, that you underſtood he ſucceeded to the Power of the Provincial Council?
A. I can know nothing of Mr. Maxwell's Power ſubſequent to our Diſmiſſion.

Q. In point of Fact, did Mr. Maxwell prevent Oppreſſion? Do you know any Thing of the Fact, whether Mr. Maxwell did interpoſe to prevent any Oppreſſion by the Farmers upon thoſe who held under them; do you remember any ſuch Fact?
A. I do not remember particularly that Mr. Maxwell exerciſed any ſuch Power.

Q. Do you know of any other Powers he had than thoſe which were conveyed to him in that Letter of Recall of the Provincial Council?
A. I know of no other Powers.

Q. Whether, de facto, to the beſt of your Knowledge and Judgment, Mr. Maxwell had any ſuch Power?

The Counſel for the Defendant objected to the Queſtion.

Q. Suppoſing he had been authoriſed to prevent Oppreſſion, had he the Means of exerciſing the Authority?
A. He had.—I will anſwer it in another Manner: If Mr. Maxwell poſſeſſed the Power and Authority the Provincial Council poſſeſſed, he had it in his Power, in a great Meaſure, to prevent Oppreſſion.

Q. Whether you ever had any Converſation with Mr. Haſtings with reſpect to the Leaſe that was granted to Kelleram by Mr. Haſtings?
A. I think I had ſome ſlight Converſation.

Q. Repeat the Whole of that Converſation as nearly as you can.
A. Upon a Viſit that I made to Mr. Haſtings on other Buſineſs, he gave me to underſtand he had let the Lands, or was about to let them; ſuch a Meaſure was in Agitation to let the Lands to Cullian Sing or Kelleram.—I ſaid, upon that Occaſion, I was convinced they never would fulfil their Engagements.

The Counſel for the Defendant objected.

Q. You are aſked to repeat the Converſation you had with Mr. Haſtings as accurately as you can recollect that Converſation?
A. I beg to obſerve, I was not aſked about the Unfitneſs; it was an Obſervation of my own when Mr. Haſtings mentioned that Subject.

Q. Go on with the Converſation?

A. I ſaid to Mr. Haſtings, I was convinced, from my Knowledge of the Character and Circumſtances of theſe Men, they never would fulfil their Engagements.—Mr. Haſtings ſaid, that he hoped better of them, or that he had a better Opinion of them; and my Reply was, as near as I can recollect, in theſe Words; That I had known them for Six Years, and would not give up my Opinion, or Words to that Effect, to any Man.

Q. Was that the Whole of the Converſation?

A. That was the Whole of the Converſation that paſſed upon the Subject, and it took place upon the Subject of another Buſineſs quite foreign to it; and I beg Leave to add, that I entered that Opinion upon the Records of the Patna Council when the Leaſe to thoſe Men came up; and it will now be found there.

Q. How long was it before the granting of the Leaſe that this Converſation was held?

A. I cannot charge my Memory as to the preciſe Time; it was certainly before the granting of the Leaſe, for I was then at Calcutta, which I left in December, and the Leaſe came up to Patna in the Month of February.

Q. Did Mr. Haſtings give you any Information reſpecting the Security of £ 40,000 taken from thoſe Men?

A. Mr. Haſtings never did.

Q. You have ſaid, you were a Member of the Provincial Council?

A. Yes.

Q. Were there any Complaints made againſt the Conduct of the Provincial Council, to your Knowledge?

A. Complaints have frequently been made againſt the Provincial Council.

Q. Did Mr. Haſtings ever repreſent to you, that the Provincial Council were unfit for their Duty?

A. I ſaid, when the Queſtion was firſt aſked, that Complaints had occaſionally been made of the Provincial Council, and it certainly happened frequently in official Situations.

Q. (*by a Lord.*) Whether, in Converſation with you, Mr. Haſtings made any ſuch Complaints, or whether thoſe Complaints were official in the Courſe of his Duty?

A. Mr. Haſtings never made any Complaints to me of the Provincial Council, nor did the Board.

Q. Were the Provincial Council in all Reſpects equal to the Duty impoſed upon them?

The Counſel for the Defendant objected.

Q. (*by a Lord.*) Is it your Opinion they were equal to their Duty?

A. I beg Leave, with all Deference to the Court, to waive that, as Matter of Opinion.

Q. Had the Provincial Council a compleat local Controul to prevent Oppreſſion in the Country?

A. We doubtleſs had full Powers for the Purpoſe from the Governor General and Council.

Q. Whether, in point of Fact, they had the Opportunity of preventing Oppreſſion of the Country — Could you prevent Oppreſſion?

A. We could, as far as our Situation would admit; and always did, as far as we could.

Q. From your Knowledge of the Country of Behar, did you ever know the Office of Farmer and Dewan united in the ſame Perſon?

A. I have.

Q. In what Inſtance?

A. In the Inſtance of Rajah Cullian Sing; who held, during the Time of the Provincial Council, ſeveral ſmall Farms in the Name of other Perſons.

Q. I wiſh to know, whether the Dewan was not, from the Nature of his Duty, a Perſon to check the Oppreſſion of the Farmer, if he committed any?

A. The Perſon we had as Dewan, in Fact exerciſed no Authority.

Q. Whether the Duty of the Dewan was not to check the Oppreſſion of the Farmer — Was it his Duty?

A. I can only ſpeak to my perſonal Knowledge: Cullian Sing, when he became Dewan, at leaſt when I became a Member of the Patna Council, was conſidered by the Council as very incompetent to his Office; and we did not, in fact, allow him to exerciſe any Power.

Q. (*by a Lord*). Whether the Office of Dewan does in its Nature comprize, as a Part of his Duty, that of ſtepping in and preventing the Farmer's Oppreſſion of thoſe under him?

A. I can only ſpeak as to Belief. I believe the Office of Dewan ought to check Oppreſſion.

Q. Whether there were not Two Offices of Dewan?

A. I know but of One.

Q. Is there not a Dewan in each Diſtrict where there is a Farmer?
A. We had One Perſon as Dewan in the Province of Bahar, who was Cullian Sing.

Q. Throughout the Province of Bahar there was but One Perſon inveſted with that Office of Dewan?
A, Yes.

Q. Whether, when the Provincial Council were withdrawn, and the Office of Dewan and Farmer were united in the ſame Perſon, there was or was not a greater Opportunity of oppreſſing the Farmers, without the Knowledge of the Supreme Council, than there was before ſuch an Arrangement took place?
A. I apprehend, in anſwer to that Queſtion, that the Office of Dewan was in fact or tacitly aboliſhed, by giving the Country in farm to him.

Q. Whether the withdrawing the Provincial Council, and aboliſhing the Office of Dewan, did not put it in the Power of the Farmer to commit Oppreſſion with greater Eaſe than before?
A. Doubtleſs.

Q. What Impreſſion the letting of the Lands to Kelleram and Cullian Sing made upon the Minds of the Inhabitants of that Country?

The Counſel for the Defendant objected to the Queſtion.

The Managers being heard in Anſwer to the Objection, and the Counſel in Reply;

The Houſe adjourned to the Chamber of Parliament.

Die Jovis, 29° Aprilis 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Commons, and Gentlemen, of Counſel for the Defendant, the Lords have reſolved, That it is not competent for the Managers of the Commons to put the following Queſtion to the Witneſs on the Sixth Article of the Charge;—" What Impreſſion the letting of the Lands to Kelleram " and Cullian Sing made upon the Minds of the Inhabitants in the Province of " Bahar?"

Then Mr. YOUNG was called in, and examined as follows:

Q. Whether you know of any Effects produced by the Appointment of Kelleram to the Province of Bahar, and what thoſe Effects were?

The Counſel for the Defendant objected.

The Managers for the Commons, being informed that the Ground of Objection appeared to fall within the Range of the former Reſolutions of the Houſe, ſaid, they would not preſs the Queſtion.

Q. Do you know in what Manner Kelleram and Cullian Sing conducted themſelves in the Situation in which they were put?

The Counſel for the Defendant objected to the Queſtion.

Q. Do you know Gunga Govind Sing?
A. I have ſeen him, but have no perſonal Knowledge of him.

Q. What Character did he bear in the Country?
A. He bore a very bad Character, both amongſt the Natives and Europeans.

Q. In what Situation was he in Bengal?
A. Gunga Govind Sing was once Dewan to the Calcutta Committee of Revenue; he was afterwards appointed Dewan to the General Committee of Revenue, that was eſtabliſhed for the Collection of the Revenue, upon the Abolition of the Provincial Council.

Q. Is the Office of Dewan to the General Committee of Revenue, I mean Mr. Haſtings's Committee of Revenue, an Office of great Power and Authority?
A. It is an Office of great Power and Authority.

Q. Is it an Office of much greater Power and Authority than the Office of Provincial Dewan to any Provincial Committee?
A. As being an Office of much more extenſive Operation, extending over the Revenue Buſineſs of the whole Country; ſo far it muſt be an Office of much greater Conſequence.

The Managers for the Commons being deſired to aſk the Witneſs the Nature of the Authority which the Dewan holds, informed the Houſe that the Nature of his Power was already explained in Page 1181 of the printed Minutes; to which they begged Leave to refer the Houſe.

Q. Then this Office of great Power and Authority was given to a Perſon of a general infamous Character?
A. It was.

Q. Whether

Q. Whether the Opinion of the Natives, and the Opinion of the Europeans with regard to this Man, was the ſame?
A. Yes; I ſaid ſo.

Q. After the Provincial Council was aboliſhed, and the Committee of Revenue appointed, were there the ſame Means of knowing the Situation of the Provinces, or any Oppreſſions that might be committed in them, that there were before?
A. No; there were not.

Q. During the Exiſtence of the Provincial Council, was it an eaſy Matter for the Grievances of the Provinces to be concealed from the Council at Calcutta?
A. I think not.

Q. Was it more eaſy that thoſe Grievances ſhould be concealed after the Appointment of the General Committee of Revenue, than it was before?
A. Yes.

Q. Whether the Effect of this new Arrangement was to veſt more Power in the Governor General, ſingly conſidered?
A. I think it had that Effect.

Q. Explain in what Manner it produced that Effect?
A. By concentrating the Buſineſs more immediately under his own Controul.

Q. (*by a Lord*). Was it more under the Controul of the Supreme Council?
A. More immediately under the Controul of the Governor General.

Q. Whether the Farmers in the Provinces, (Farmers or Zemindars, calling them by what Names you chuſe), whether they were or were not leſs under the Controul of the Government, under the new Arrangement, than under the old one?
A. I think they were leſs under the Controul of Government under the new Arrangement than under the old one.

Q. Were they, or were they not, more open to the Oppreſſion of a Dewan who was ill inclined?
A. I think that they muſt have been.

Q. Do you know whether, or have you any Means of Knowledge, whether Oppreſſions did exiſt more, or leſs, after the Appointment of the new Government than under the old?

The Counſel for the Defendant objected to the Queſtion.

The Managers for the Commons being heard in Anſwer to the Objection, and the Counſel in Reply,

The Managers for the Commons were aſked, if they had any Objection to the Form of the Queſtion ſtanding thus:

"Whether more Oppreſſions did actually exiſt under the new Inſtitution than under the old?"

The Managers for the Commons made Anſwer, That they aſſented to the Queſtion ſtanding in that Form.

The Houſe adjourned to the Chamber of Parliament.

Die Martis, 4° *Maii* 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Commons, and Gentlemen, of Counſel for the Defendant, the Lords have reſolved, That it is not competent for the Managers of the Commons to put the following Queſtion to the Witneſs upon the Seventh Article of Charge; viz. ' Whether more Oppreſſions did actually exiſt under ' the new Inſtitution than under the old ?'———Gentlemen, Managers for the Commons, you may proceed to make good your Charge."

The Managers for the Commons deſired Mr. Young might be called in.

Mr. YOUNG was accordingly called in, and examined as follows:

Q. Whether you heard, during your Reſidence in the Province of Bahar, or after your coming to Calcutta, of any Sum of Money privately given by the Rajahs Kelleram and Cullian Sing, or either of them, or any Agreement to pay any Sum of Money from either of theſe Perſons?

The Counſel for the Defendant objected to the Queſtion.

Q. *(by a Lord)*. Do you know of any Rumours abroad, in Calcutta or Patna, of any Preſent having been made, by Kelleram or Cullian Sing, to Mr. Haſtings, before April, or May, or September, 1782?

A. I heard of ſuch Rumours.

Q. At what Time?

A. Previous to either of the Dates mentioned by your Lordſhips.

Q. *(from the Managers.)* Did you hear them from any Authority which you thought entitled to Credit?

The Counſel for the Defendant objected to the Queſtion.

Q. From whom did you hear theſe Rumours?

The Counſel for the Defendant objected to the Queſtion.

Q. *(by a Lord.)* Whether it was not a general Rumour prevailing amongſt a great Number of People, and ſpreading much abroad?

A. It was a very general Rumour at Patna.

Q. What was the Rumour?

A. The Firſt Rumour was previous to the Tranſaction having taken place, when Kelleram was ſent for down by Mr. Haſtings to Calcutta; it was generally reported and believed in Patna, that he and Cullian Sing were to have the Farm upon paying a certain Sum of Money.

Q. To whom?

A. To Gungo Govind Sing, upon Account of Mr. Haſtings; that was the general Report when Kelleram firſt went down. I did not hear any ſpecific Sum, till I myſelf went to Calcutta ſome Time after.

Q. What did you hear at Calcutta?

The Counſel for the Defendant objected to the Queſtion.

Q. Was there a Rumour at Calcutta, before the Periods you mentioned, of ſuch a Sum of Money having been received by Mr. Haſtings?

A. I heard the ſame Rumour alſo in Calcutta.

Q. Was that alſo a general Rumour?
A. I believe it was.

Q. You have ſtated the Rumour at Patna. What was the Rumour at Calcutta?
A. I heard in Calcutta—but I heard then a ſpecific Sum, which was afterwards confirmed to me at Patna, that, previous to the Engagement of Mr. Haſtings with Kelleram and Cullian Sing, ſuch a Sum of Money was to be paid.

Q. What was that Sum?
A. Four Lacks of Rupees.

Q. Whether you ever made a Settlement with the Zemindars or Farmers during the Time you were in the Council at Patna?
A. I ſaid ſo: Very often.

Q. What Standard you had to eſtimate, what the Farmer ought to pay publickly as a Revenue, without knowing what the Farmer had agreed to pay privately to any other Perſon?

The Counſel for the Defendant objected.

A. It is a Queſtion which I really do not perfectly comprehend.

Q. How could you know what the Province could afford to pay publickly, without knowing what the Farmer had engaged to pay privately?

The Counſel for the Defendant objected.

A. I really do not perfectly comprehend the Queſtion; and as I underſtand it is rather wiſhing for an Opinion from me, I could wiſh to decline it, becauſe I may miſunderſtand the Queſtion.

Q. Whether, upon this Rumour, you took any Step to bring this Matter to the Ears of Mr. Haſtings, or that you thought might be a probable Medium of conveying it to the Ears of Mr. Haſtings?
A. I do not recollect that I took any Step whatever to bring it to the Ears of Mr. Haſtings.

Q. Do you think that any ſuch Rumour could have ſo generally prevailed, without coming to the Ears of Mr. Haſtings?

The Counſel for the Defendant objected.

Q. Whether, or no, you are acquainted with the general Character and Eſtimation in which Gungo Govind Sing was held in that Province?
A. I have anſwered that before.

Q. (*Croſs examined.*) I underſtood you to ſay, in Anſwer to Two or Three Queſtions, that the Reſum Caſana, the Tuckavy, and the Batta, were added to the Provincial Contracts; I wiſh to know, whether thoſe Articles, the Reſum Caſana, the Tuckavy, and the Batta, were inſerted in the Sunnuds as Matter of expreſs Stipulation, or by the Cuſtom of that Country?
A. I cannot ſpeak poſitively whether they were or not: The Reſum Caſana was always paid according to the Cuſtom of the Country; the Batta could not appear in the Farmer's Accounts; that was in the Treaſury Account only, and not charged to the Farmer at all; it was a Profit upon the Collections.

Q. There was another Article they call Tuckavy; how do you explain that?
A. When a new Farmer went into a Diſtrict, it was uſual to give over to him the Ryots Bond, which was given for the Tuckavy advanced; the Farmer uſually collected it on theſe Ryots Bonds.

Q. Was that the Cuſtom, or was the Article inſerted in the Sunnuds?
A. I believe, not inſerted in the Sunnuds; but, as far as my Recollection goes, I believe ſome ſuch Engagement was always taken from the Farmer for it.

Then the following Queſtions, and the Anſwers of the Witneſs, were read by the Clerk from the printed Minutes, Page 1211.

'Q. (*By a Lord.*) What is the Meaning of Batta?
'A. It is the Exchange between Siccas and Sonat Rupees. It is proper I ſhould explain it: 'In ſome Parts of the Province of Bahar the Rent is paid in Siccas, in others in Sonats, and the 'Advantage of the Batta is the Exchange between one and the other, which, one Year with an-'other, uſed to amount to 40,000 Rupees. Excluſive of theſe Two Articles, there is alſo an Article 'they call Tuckavy, which is Money advanced for the Purpoſe of Agriculture, paid in the Courſe 'of the following Year with a Profit of 25 per Cent.

'Q. (*By a Lord.*) To whom paid?
'A. To Government, by the Perſons who hold the Leaſe of the Country for the following Year.

'Q. (*By*

'Q. (*By the Managers.*) Were thoſe regular eſtabliſhed Payments?

'A. The Reſum Caſana was an invariable Article; the Batta was not required of the Farmer, 'but was ſettled and appeared in the Treaſury Accounts at Patna. The Tuckavy depended upon 'Circumſtances, ſome Years more was advanced, ſome leſs; in general, about 20,000 Rupees."

Then the Witneſs was aſked,

Q. Whether the Farmer was, or was not, obliged to advance yearly the Tuckavy to the Ryots?
A. No; the Farmer was not obliged to do it.

Q. Was he to have the Profits, whether he made any Advance or not?
A. The Profit was the Government's; the Profit belonged to the Government.

Q. Who had the Ryots Bonds?
A. The Money was generally advanced by the Direction of Government by the former Farmer, or whatever Perſon happened to have Charge of the Collection. He took Bonds from the Ryots, and thoſe Bonds were handed over to Government.

Q. Whether it had not been uſual for the Provincial Council to let the Lands in Bahar to the Farmers, and not to make diſtinct Engagements with the Zemindars?
A. In the Light in which I underſtand the Queſtion we did both, according to Circumſtances; we let the Lands either to Zemindars or to Farmers; if we had a Confidence in the Reſponſibility and Capacity of a Zemindar, we generally gave him the Preference; where we had not ſuch Confidence, or where there were Circumſtances that made it improper in our Judgement, we did not.

Q. Suppoſing the Farmer a proper Perſon, without examining whether he were or not, might not the Revenue be as advantageouſly collected by the Government being let to one Perſon, as by being let to many?
A. Suppoſing the Province of Bahar were to be let to one Man, and he unexceptionable as to Capacity and Property, I think it would be more advantageous.

Q. Whether, ſuppoſing the Perſon were one, the Revenue might not be as advantageouſly collected, if the Leaſe were a long one, as if it were a ſhort one?
A. I think it might.

Q. You have ſpoken to the Character of Gunga Govind Sing—Whether your Reſidence was not principally at Patna?
A. It was.

Q. What is the Diſtance of Patna from Calcutta?
A. About 400 Miles.

Q. Whether, during the Period of your Reſidence in India, Gunga Govind Sing was not principally reſident and employed at Calcutta?
A. He was.

Q. You ſaid, you had ſeen Gungo Govind Sing—Had you ever any Concern with him perſonally yourſelf?
A. I never had.

Q. You ſpeak of having received Impreſſions reſpecting this Perſon from the Natives as well as Europeans—Whether one Perſon from whom you received Impreſſions of the Character of Gungo Govind Sing, was not a Man of the Name of Ram Chunda Sing?
A. I have heard Ram Chund Sing ſpeak of him; and I alſo knew at the Time that Ram Chunda Sing was Gungo Govind Sing's Enemy.

Q. You have been aſked reſpecting the Meaſure of the Abolition of the Provincial Council, and ſaid you were a Member of the Provincial Council at the Time, and had been ſo for 6 Years?
A. Yes; I ſaid ſo.

Q. Whether you have not complained publickly of that Meaſure as extremely injurious to your own private Intereſt and Feelings, in Terms of this Sort; that you conſidered it as an Expulſion from Houſe and Home; that you had Houſes and Lands, that even your Aſſiſtants had ſome of them Houſes; that you had Occupations, Purſuits and Amuſements; that you had it in your Power to help ſome needy Friends, that depended upon you, and your own Misfortunes were aggravated by finding your Friends involved in it as well as yourſelf? Whether you have not ſpoken of this Meaſure in theſe Terms?
A. I ſpoke of it in thoſe very Terms at the Bar of the Houſe of Commons about Two Years ago.

Q. Then you did make thoſe Complaints, and did feel the Meaſure in that Light, as a Meaſure injurious to your own private Intereſt?
A. I ſpoke of the Meaſure in thoſe Terms at the Bar of the Houſe of Commons; whether that can be conſidered as a Complaint in only anſwering the Queſtion, I do not know.

Q. Did

Q. Did you not feel the Meaſure in that View, and entertain thoſe Sentiments reſpecting it?
A. I certainly did conſider it as injurious to myſelf, and to the Service of the Eaſt India Company.

Q. (*by Managers*). Whether, when you was in this Manner expelled from Houſe and Home, any publick Benefit whatſoever ariſing from that Expulſion was notified to you?
A. I do not recollect there was any Benefit.

Q. Whether you was under any criminal Charge at that Time, to which you was called to anſwer?
A. I was under no criminal Charge at that Time.

Q. What was your Opinion of the Motives upon which you was ſo expelled?

The Counſel for the Defendant objected to the Queſtion.

The Managers for the Commons waived their Queſtion.

Q. Have you ſaid, that ſuppoſing the Renter to be a proper Perſon, the Renting the whole Farm to him might be no diſadvantageous Meaſure to the Publick?

The following Anſwer, given by the Witneſs in the Courſe of the Croſs Examination, was read by the Clerk.

" A. Suppoſing the Province of Bahar were to be let to one Man, and he unexceptionable as to Capacity and Property, I think it would be more advantageous."

Then the following Queſtion was put by the Managers for the Commons to the Witneſs.

Q. Did you think Kelleram to be an unexceptionable and reſponſible Perſon?

The Counſel for the Defendant objected to the Queſtion.

Q. Then ſuppoſing Kelleram to be a Bankrupt and in Priſon, would it be an advantageous way of letting the Lands?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether, ſuppoſing the Perſons were Bankrupts, and in Priſon, it would be proper to let the Lands to them?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether or no, in the Anſwer you gave, you meant to convey any Idea about Kelleram's being ſolvent, or not?
A. I did not.

Q. Whether the Character of Gunga Govind Sing had penetrated as far as Patna?
A. It was generally known at Patna; but when I ſtated, in Anſwer to a former Queſtion, that I reſided principally at Patna, I had frequently alſo been at Calcutta.

Q. Whether you did not converſe with many other Perſons, beſides Ram Chunda Sing, on the Character of Gungo Govind Sing?
A. It is impoſſible that I can ſpecify with what Perſons I converſed on the Subject of Gungo Govind Sing; but it was a frequent Subject of Converſation both with Natives and Europeans.

The Witneſs was directed to withdraw.

The Managers for the Commons deſired David Anderſon Eſquire might next be called in.

DAVID ANDERSON Eſquire was accordingly called in, and being ſworn, was examined as follows:

Q. In what Situation were you in Bengal about the Years 1780 and 1781?
A. In the Year 1780 I was Preſident of the Provincial Council of Calcutta; in the End of that Year, or in the Beginning of the Year 1781, I was ſent upon an Embaſſy to the Mahrattas in the Province of Cuttack; and in the Month of February 1781 I was appointed Preſident of the general Committee of Revenue.

Q. How

Q. How long did you attend that Duty?
A. If you will give me Leave I will refer to ſome Notes, the Dates of which will enable me to ſpeak with more Preciſion.

The Witneſs referred to his Notes.

Q. How long did you attend that Duty?
A. I obſerve from the Note I have taken in my Paper, that on the Second of March I embarked upon a Second Embaſſy to the Mahrattas under the Command of Chimnagee Booſla.

Q. At what Place was that?
A. In the Neighbourhood of Balaſore.

Q. So that you attended the Duty of the Board from February to the Second of March?
A. Yes.

Q. When did you return from Cuttack or Balaſore?
A. I imagine the Time of my Return muſt have been about the 19th or 20th of March.

Q. After your Return on the 18th of March, how long did you attend your Duty at the Board?
A. Till the 7th of July in the ſame Year.

Q. Where did you go then?
A. I accompanied Mr. Haſtings upon his Expedition up to the Northern Provinces.

Q. When did you come back?
A. In November or December 1783.

Q. In what Situation were you from the Month of June or July 1781 to the Month of November 1783?
A. I was ſent along with Mr. Haſtings, as an Aſſiſtant under him, about the Beginning of November 1781; he deputed me upon an Embaſſy to Madajee Scindia, and eventually to the Peſhwa of the Mahratta State.

Q. That laſt did not take place in Point of Fact?
A. No.

Q. When you returned in 1783, how long did you attend your Duty at the Board after that?
A. I did not at that Time attend my Duty at all, for I was preparing to return to Europe for my Health, which was at that Time very bad; but I was beginning to recover much about the Time Mr. Haſtings propoſed to go up again to Lucknow, and it was propoſed by him that I ſhould accompany him.

Q. Then I underſtand you did not attend your Duty at the Board after your Return in 1783?
A. Not at that Time; but afterwards, in the End of the Year 1784, I attended my Duty for about Six Weeks or Two Months, juſt previous to my embarking for Europe.

Q. Therefore, except that Six Weeks, from the Month of July 1781, till the Time you left Calcutta, you never attended the Duty of the Board above Six Weeks: That is ſo; is it?
A. Not exactly, it was longer than that; from about the 19th or 20th of March to the 7th of July; ſubſequent to that, not above Six Weeks.

Q. Did you continue all that Time in the Situation, and receiving the Emoluments of the Preſident of the Calcutta Committee?
A. I did.

Q. Whether you ever heard any Rumour of a Sum of Money paid to Mr. Haſtings by Kelleram or Cullian Sing?
A. I did.

Q. About what Time?
A. I think I firſt heard of it much about the Time the Settlement was made, which I believe was either the End of 1780, or Beginning of 1781.

Q. What was the Report you then heard?
A. My Recollection is very imperfect; but, to the beſt of my Recollection, I heard at that Time, that a Sum of Money, I think Four Lacks of Rupees, was propoſed to be paid to Mr. Haſtings.

Q. Had you any Converſation with Mr. Haſtings upon that Subject?
A. Not at that Time; I had afterwards.

Q. At what Time had you any Converſation with Mr. Haſtings upon the Subject?
A. I imagine it muſt have been about the Beginning of May 1781.

Q. Repeat,

Q. Repeat, as nearly as you can recollect, what Converſation paſſed between Mr. Haſtings and you upon that Subject?

A. At this Diſtance of Time I can ſcarcely recollect the exact Words; I can only mention the Impreſſion that ſtill remains in my Memory, that I communicated to Mr. Haſtings what I had heard; and feeling ſome little Embarraſſment at the Time, from the Situation in which I was placed, and from the Confidence he had placed in me in that Situation, he told me to make myſelf eaſy, or to give myſelf no Concern about what I had heard; for whatever Money had been received had been accounted for to the Company.

Q. What was the Embarraſſment you felt? What do you mean by that?

A. I have mentioned I was in that Situation with Mr. Haſtings, that I enjoyed a great Deal of his Confidence, and I ſhould have thought myſelf blameable, hearing of it as I did, if I had not mentioned it; alſo in my public Duty I thought it neceſſary to mention it to him, as I ſhould have Occaſion afterwards to tranſact Buſineſs with thoſe People who were ſaid to be concerned.

Q. Explain how your Confidence with Mr. Haſtings occaſioned any Embarraſſment?

A. In a Variety of Ways; One in particular, if the Report was not true, it was certainly proper Mr. Haſtings ſhould be informed of it.

Q. Suppoſe it was true?

A. If it was, that he might tell me what was to be done: I do not at this Time recollect all the Arguments that aroſe in my Mind, but that Embarraſſment ſuggeſted itſelf to me upon it.

Q. Did you or not think the Report injurious to the Character of Mr. Haſtings? Was that the Occaſion of your mentioning it to Mr. Haſtings?

A. Yes, it certainly was; I thought it inconſiſtent with the Character of Mr. Haſtings.

Q. Whether all the Receipts of the Landed Revenue of Bengal did not, or ought not, officially to have paſſed through your Office?

A. Our Office was conſtituted by the Governor General and Council; it reſted with them to conſtitute it as they pleaſed, either that the Receipts ſhould paſs through it, or not.

Q. *(by a Lord.)* Was it ſo conſtituted, that thoſe Receipts ſhould have paſſed through it?

A. I underſtand the Public Revenue was undoubtedly to paſs through the Office.

Q. What do you mean by the Public Landed Revenue—Whether there is any Thing elſe but Public Landed Revenue?

A. That Revenue which is included in the public Settlement, which is generally made annually by the Zemindars and Farmers, under the common Name, in that Country, of Bundobuſt.

Q. Whether there is any Thing elſe in Bengal but Public Landed Revenue?

A. Under the Mooriſh Government, there certainly was.

Q. Under the Engliſh Government?

A. It would appear, from what I have heard here, and from what has paſſed, that there was ſomething ſeparate from the Public Revenue.

Q. What is that?

A. I can only ſpeak from what I have heard here ſince this Trial commenced, and what paſſed between me and Mr. Haſtings upon that Occaſion; that there had been Sums collected ſeparately from the publick Settlement.

Q. *(by a Lord.)* The publick Revenue of the Country, according to its Order and Conſtitution, is that which appears upon the Settlements, and that only; and that which you have heard ſince and allude to, is not what you conſider as making a Part of the publick Revenue properly ſo called—That is ſo?

A. Yes.

Q. *(by the Managers.)* Independant of what you have heard ſince you came to England, whether you know in Bengal of any other Revenue but a publick Revenue?

A. I do not completely underſtand the Queſtion; I certainly underſtood from Mr. Haſtings, in the Converſation I had with him, that there had been Sums collected or promiſed by People employed in the Revenue, which were ſeparate from any Thing that the publick Officers employed in ſettling the Revenue knew any Thing of, at leaſt our Officers.

Q. By whom were thoſe Sums collected?

A. I do not know by whom they were collected, at leaſt not officially.

Q. Through what Office did they paſs?

A. Mr. Haſtings told me they were paid in to Mr. Croftes.

Q. Who received them?

A. I do not know any Thing further than that Mr. Haſtings told me the Money was accounted for to Mr. Croftes, who was, I believe, at that Time Sub-treaſurer to the Revenue Department.

Q. Was

Q. Was Mr. Croftes a Member of the Committee of Revenue?
A. He was.

Q. Did thoſe Sums appear in any publick Account of the Eaſt India Company, as far as you know?
A. In none, that I know of.

Q. Whether, before Mr. Haſtings informed you of this Sum of Money from Kelleram, whether before that Period you knew any Thing of a Diſtinction between a publick and private Revenue?
A. Not under the Engliſh Government, as I at preſent recollect.

Q. Did you conceive it to be Part of your Duty, as adminiſtering the Revenues of Bengal, to receive, privately, a Sum of Money that you did not carry to the publick Account?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether you were, or not, ſworn not to take any Money privately?
A. I was.

Q. Was Gungo Govind Sing ſworn in the ſame Manner?
A. I believe not.

Q. Was Gungo Govind Sing the Perſon who received this Revenue; thoſe Four Lacks?
A. I did not know it in India at the Time;—at the ſame Time I beg Leave to obſerve, that I find, from looking over my Papers, that I had heard that Gungo Govind Sing was the Channel.

Q. Did you ever examine or interrogate Gungo Govind Sing with reſpect to thoſe private Receipts of Money?

The Counſel for the Defendant objected to the Queſtion.

Q. Had you ever any Converſation with Mr. Haſtings and Gungo Govind Sing upon this Subject together?
A. No; not that I remember.

Q. When you farmed the Bundobuſt of any Province, did you take into your Conſideration Sums of Money privately received, and not made a Part of the Contract?
A. No.

Q. Then how could you be ſure that you were not making an oppreſſive Settlement of the Country, when you made a Settlement without knowing what the Country paid.

The Counſel for the Defendant objected to the Queſtion.

Q. Whether you was with Mr. Haſtings at Moorſhedabad in 1781?
A. I was.

Q. Did you ſee a Perſon named Nundoolol there?
A. To the beſt of my Recollection, I either ſaw Nundoolol, or ſome Perſon on his Behalf.

Q. Did you or not ſettle ſome Diſpute with Nundoolol reſpecting his Farm?
A. To the beſt of my Recollection, he complained he had not obtained the entire Poſſeſſion or Management of thoſe Revenues for which he was to be accountable, or which formed a Part of what he farmed.

The Counſel for the Defendant deſired to know from the Managers for the Commons how this was applicable to any Thing contained in the Articles of Charge.

The Managers for the Commons ſtated, that the ſole Object for putting the Queſtion was to aſſiſt the Witneſs to recollect whether he did ſee Nundoolol himſelf there, or not?

A. I rather think Nundoolol was himſelf there.

Q. Whether you know any Thing of any Sum of Money paid to Mr. Haſtings by Nundoolol at Moorſhedabad?
A. I do not know any Thing of it.

Q. Whether you ever had any Converſation with Mr. Haſtings upon the Subject of that Sum of Money?
A. I am pretty confident I had not.

Q. Did you ever hear of that Sum of Money being paid in India?
A. I do not remember that I ever heard any Thing about it.

Q. Did Mr. Haſtings ever inform you that he had received a Sum of 58,000 Rupees from Nundoolol at Moorſhedabad?
A. No; not to my Recollection.

Q. Was

Q. Was you much in Mr. Haſtings's Confidence at Moorſhedabad?
A. I was at that Period in his Confidence; I had Reaſon to believe I was much in his Confidence.

Q. Do you know any Thing of a Sum of Money received by Mr. Haſtings, from a Perſon of the Name of Nobkiſſen?
A. No.

Q. Was Nobkiſſen a Farmer under the Government of your Board?
A. Nobkiſſen was under the Survey of our Board.

Q. Had you any Converſation with Mr. Haſtings with reſpect to Three Lacks of Rupees, paid to Mr. Haſtings by Nobkiſſen?
A. I do not remember that I had.

Q. Does any ſuch Sum appear, as far as you know, in any official Account in your Office?
A. Not to my Knowledge.

Q. Does any ſuch Sum as 58,000 Rupees, received from Nondoolol, appear in any Account in your Office?
A. Not that I know of.

Q. Whether you know any Thing of a Sum of Two Lack of Rupees received from a Perſon of the Name of Sadanund?
A. No.

Q. Had you ever any Converſation with Mr. Haſtings upon that Subject?
A. I preſume as to all theſe Sums, if your Lordſhips mean in India, I never had.

Q. Have you ſince?
A. Since this Trial, I have heard Mr. Haſtings, in drawing out his Defence, ſpeak upon that Subject.

Q. Do you know any Thing of a Sum of 100,000*l.* received from the Vizier?
A. I knew nothing of that in India.

Q. Was you with Mr. Haſtings at Chunar?
A. I was.

Q. Had you any Converſation with Mr. Haſtings, with reſpect to the Sum of 100,000*l.* received by him from the Vizier when at Chunar?
A. I am pretty confident I had not.

Q. Did you ever hear, while in India, any Thing reſpecting this Sum of 100,000*l.*?
A. I am not ſure; but I do not recollect hearing of it: But hearing Things at different Periods, this Year, laſt Year, and t'other Year, I find myſelf at a Loſs to diſtinguiſh what might be the firſt Time I heard of it; I think I did not hear of it in India.

Q. Are you ſure you did not hear of it at Chunar?
A. I am almoſt confident I did not hear it at Chunar.

Q. Did you return with Mr. Haſtings from Chunar to Patna?
A. No, I did not.

Q. Had you ever any Converſation with Mr. Haſtings with reſpect to any Sum of Money privately received, except what you have told us?
A. I do not remember that ever I had.—Though, if I remember right, the Impreſſion that Converſation I already alluded to made on my Mind was, that there had been other Sums, but not particularized.

Q. Whether you had not an Occaſion, or was employed, to ſettle Diſputes or Differences with Kelleram?
A. I was.

Q. Whether, in ſettling thoſe Diſputes and Differences, you took into Conſideration any Sums of Money that might, or might not, have been privately paid by Kelleram to any Body?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord.*) The Queſtion reſpects a Sum of Money privately paid by Kelleram to Mr. Haſtings; and whether you took that into your Conſideration in ſettling the Diſputes and Differences?
A. Not Diſputes between Kelleram and Mr. Haſtings, but between Kelleram and other People employed in the Revenue; I did not mean to ſay I was employed in ſettling Diſputes between Mr. Haſtings and Kelleram, but ſome Diſputes between Kelleram and his Superior, Cullian Sing.

Q. (*By*

Q. (*By the Managers.*) Do you know how much of that Sum of Four Lacks of Rupees, you have mentioned, was paid?

A. I do not.

Q. Whether, previous to your leaving Bengal, the Security for thoſe Four Lacks, or any Account of any Sum of Money that might remain due upon that Security, was left in your Office, or any Office, that you know of?

A. From what your Lordſhips have heard in the Firſt Part of my Evidence, I was ſo very little Time in the Office, and that at ſhort Intervals, that I cannot ſay whether it ever was or not—I do not know that it was.

Q. Do you know of that Money, or any Part of it, or any Security for it, being left in any other Office?

A. I do not; further than what Mr. Haſtings told me of its having been paid in to the Subtreaſurer, Mr. Croftes.

Q. Did Mr. Haſtings tell you that the whole Money, or only a Part, was paid in to Mr. Croftes?

A. What I underſtood at the Time was, that the Whole of what Mr. Haſtings had received was paid in.

Q. Did you underſtand Mr. Haſtings had received the Whole of the 4 Lacks, or Part of it?

A. I really do not know.

Q. Who was the Dewan to your Committee?

A. Gungo Govind Sing.

Q. Who appointed that Dewan?

A. The Governor General and Council.

Q. Who at that Time were the Governor General and Council?

A. Mr. Haſtings and Mr. Wheler.

Q. Was the Office of Dewan an Office of great Power and Authority?

A. It certainly was an Office of very conſiderable Power and Authority.

Q. Who was Naib Dewan?

A. Prawn Kiſhen, the Son of Gungo Govind Sing.

Q. Who was Head Canongoe?

A. There were Two Head Canongoes, Lutch Minarrain and Mehind Narrain.

Q. Who executed their Office?

A. The Office of Lutch Minarrain, as principal Naib, was Gungo Govind Sing;—the principal Naib of the other, that held an equal Authority with Gungo Govind Sing, I really forget his Name.

Q. In point of Fact, did not the Naib Canongoe do the whole Duty of Office of Head Canongoe?

A. I believe he did.

Q. Was it not Part of the Duty of the Naib Canongoe, and the Naib Dewan, to be in the Nature of a Check upon the Dewan? What was the Office of the Naib Canongoe?

A. The Naib Canongoe was an Office of very ancient Inſtitution under the Mahomedan Government, I believe eſtabliſhed by the Emperor Acbar; it was to keep the Receipts of the Aſſeſſments in all Parts of the Aſſeſſment framed by the Nabob, to the different Proportions that fell on the ſmalleſt Portions of Land;—they keep an Account of that, and alſo of all the Boundaries and Diſtricts, ſo that if any Alteration took Place, they noticed them down; and had a vaſt Variety of other Accounts: Alſo Accounts of the Collections of each Diſtrict from the Head Office or Cutcherry down to the ſmalleſt Holder of Land under them; but in ſome Diſtricts, where the Zemindars were powerful, I believe they had not been able to obtain that Account.

Q. Was this Office a Check upon the Dewan?

A. They ariſe from different Conſtitutions;—the one aroſe from the Mahomedan Government, the other from the Engliſh Government; and the ſame Perſon is appointed Dewan that was Naib Canongoe; of courſe they were no Check.

Q. Whether, when they became two Offices, the Duty of the Naib Canongoe was not to be a Check upon the Dewan?

A. Certainly.

Q. Whether it was not the Buſineſs of the Naib Dewan to check in ſome Degree the Office of Dewan?

A. No; it was his Duty to aſſiſt him—it was no further a Check than that different Officers in the ſame Office are a Check upon one another.

Q. (*by a Lord*). Does not the Word Naib mean Deputy?
A. Deputy.

Q. Whether the Dewan had not, in a great Meaſure, the Revenues paid at the Treaſury entirely at his Diſpoſal?

A. He was the principal Officer employed in enforcing the Collections, and ſeeing the Collection of the Revenues paid in; and that the Payments came in according to the Inſtalments.

Q. Whether the Dewan had it not in his Power (if he thought fit) to lay the Renters under Contribution?

A. I dare ſay that if he choſe it he might do it, but he was ſubject to be detected in it. As he had a conſiderable Truſt and a good Deal of Buſineſs to tranſact with the Collectors, certainly he might prevail upon them.

Q. Do you mean by that, that he could do it by virtue of his Office, or that by reaſon of the Influence of his Office he might do it, if he thought fit?

A. If he meant to abuſe his Authority, he might induce the Renters to pay Sums of Money; but he muſt do it at his Peril.

Q. Whether, if he had the Inclination ſo to exerciſe his Power, the Detection would not be extremely difficult?

A. If it was very general it would not be difficult; but that he might do it ſometimes, ſo as to be difficult to be diſcovered, is very probable.

Q. Whether, after all, the Committee with the beſt Intention, and with the beſt Ability and ſteadieſt Application, might not, to a certain Degree, be Tools in the Hands of the Dewan?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether, from the Conſtitution of the Office, the Committee had it in their Power, in any great Degree, to check the Malpractices of their Dewan, if he was ſo inclined?

A. They had full Power to check them; but the Confidence which they muſt neceſſarily repoſe in their executive Officer, in carrying on ſo extenſive a Buſineſs, might in ſome Caſes be abuſed. I think it would require great Attention to prevent Abuſes, if the Dewan was ſo inclined.

Q. Whether it was more likely, from the Conſtitution of the Office, that he ſhould be able to miſlead them, or they to coerce him?

A. That is too nice a Calculation to balance one againſt the other.

Q. Who was Gungo Govind Sing?

A. Gungo Govind Sing, when I firſt knew him in 1769, was employed under the Nabob Mahomed Reza Cawn, as one of the Officers of the Canongoe, or rather the Repreſentative of his Brother, on taking the Settlements of Revenues occaſionally; he was afterwards, on the Removal of the Collections of Revenue from Moorſhedabad to Calcutta, thrown out of Employment in that Reſpect, and I believe there was a temporary Suſpenſion or Abolition of the Canongoe Office; he went to Calcutta till it was reſtored, and, while there, he was appointed a Deputy to Rajah Raje Bullub, who was Dewan to a Committee and Roy Royan of the Khalſa; he afterwards, about the Year 1774, was appointed Dewan of the Calcutta Committee of Revenue, and he was Dewan of the Calcutta Committee at the Time he was appointed Dewan of the General Revenue Committee.

Q. Was he removed from any of theſe Offices?
A. I have heard that he was.

Q. Were there ever any Complaints made to you of Gungo Govind Sing?
A. I do not recollect any official Complaints, or indeed any ſpecific Complaints.

Q. Whether you did not attend Mr. Haſtings in a confidential Situation when he went up to Lucknow in 1784?
A. I did.

Q. Was you at that Time much in Mr. Haſtings's Confidence?
A. I believe I was.

Q. Did Mr. Haſtings inform you at that Time, that he had taken the Sum of 100,000 *l.* from the Nabob?
A. I do not remember that he did.

Q. Did Mr. Haſtings, at that Time, inform you he had received an Offer of another 100,000 *l.* from the Nabob?
A. I think Mr. Haſtings, upon ſome Occaſion, whether at Lucknow or after we came from it I am not very ſure, mentioned that Money had been offered to him, which he had refuſed.

Q. What

Q. What Conv rſation did Mr. Haſtings hold with you upon the Subject of Money, or Offers of Money, or Aſſignments for Money?

A. I do not recollect any Converſation whatever with reſpect to Aſſignments, or Offers of Money.

Q. Had you any Converſation at all relative to the Diſpoſition of 100,000 *l.* offered to him, and by him refuſed?

A. No: I do not remember that I had.

Q. Were you not employed in regulating the State of the Nabob's Revenue, and in ſettling the Courſe of his future Payments?

A. I was.

Q. Whether you have heard Gungo Govind Sing was removed from any of his Employments, upon Complaint of Abuſe of Office?

A. I have heard he was removed from his Office of Dewan of the Calcutta Revenue.

The Houſe adjourned to the Chamber of Parliament.

Die Martis, 11° *Maii* 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons deſired Mr. Anderſon might be called in.

Accordingly DAVID ANDERSON Eſquire being again called in, was examined as follows:

Q. Whether any Security was taken from Kelleram for the Farm of Bahar?

A. I underſtood that Rajah Kelleram and Cullian Sing were jointly reſponſible; or rather, that it was in the Name of Cullian Sing.

Q. The Queſtion was, whether any Security, or formal Inſtrument by which they gave Security, was taken from them?

A. I believe there was a formal Inſtrument.

Q. Whether there was any collateral Security except the Two Farmers themſelves?

A. I do not remember there was any.

Q. Had you any Converſation with Mr. Haſtings reſpecting the Subject of their giving Security?

A. I do not remember that I had.

Q. Whether you have not underſtood there was a regulation of Government in the Year 1772, or thereabouts, for obliging all Farmers of the Revenue to come to an Agreement, that they would not give more to any Perſon, by way of Preſent or otherwiſe, than was contained in their Agreement; did you ever know of any ſuch Regulation as that propoſed?

A. I do not exactly remember it, but I think it is probable there was.

Q. Whether that Regulation was obſerved with regard to Kelleram or Cullian Sing?

A. I do not know the exact Nature of the Agreement that was made with Rajah Kelleram or Rajah Cullian Sing, therefore I do not know whether it was inſerted in it or not; it was made at a Time when I had nothing to do relative to the Revenue.

Q. Whether the Collection of that Revenue did not come within the Province of your Committee during the Firſt Year of the Leaſe to Kelleram or Cullian Sing?

A. It did: In the latter Part of the firſt Year of the Leaſe it came under the Committee.

Q. Did you ever ſee any Cabooleat executed by Kelleram Sing or Cullian Sing, or either of them?

A. I do not remember.

Q. Whether you ever enquired concerning the Obſervance or Non-obſervance of that Regulation with regard to thoſe Two Perſons?

A. I do not remember that I ever did.

Q. Whether, during the Time of your attending the Committee, you ever made any Enquiry with reſpect to the Obſervance or Non-obſervance of it by any other Perſons?

A. I do not remember I did.

Q. Whether,

Q. Whether, in the Agreement which you or the Committee made with any of the Farmers General in the Provinces, this Regulation was obſerved or not?

A. I do not remember that it either was or was not inſerted: I cannot ſay; but I imagine the Records will ſhew the Nature of moſt of the Agreements.

Q. Whether or no you are quite ſure that the Copies or Counterparts of all theſe Leaſes made by the Committee have been tranſmitted to Europe?

A. I rather think not: I never heard it was cuſtomary to ſend the Leaſes of all the inferior Zemindars, unleſs upon particular Occaſions: I rather think it was not the general Practice.

Q. It is ſtipulated, by the Eleventh Article, that the Farmers Payments to Government ſhall be aſcertained and eſtabliſhed, and no Demand made upon them beyond what is mentioned in the Rent-roll; do you remember that Regulation?

A. I do not remember it: I dare ſay there was ſuch a Regulation; but I do not remember it; I have no Reaſon to think there was not.

Q. Did you think yourſelf authorized to take from any of the Farmers more than was ſtipulated in the Rent-roll?

A. No.

(*Croſs examined.*)

Q. Whether you are acquainted with the Nature and the Extent of the Functions of the Provincial Council, as exerciſed by them prior to their Abolition in the Year 1781?

A. I was.

Q. State the Nature and Extent of thoſe Functions: How do you deſcribe them?

A. The general Object of their Appointment was to make the Settlement or Aſſeſſment of the Revenue, by Agreement with the Zemindars.

Q. How did you proceed after that?

A. It was afterwards their Duty to collect that Revenue.

Q. What other Powers were exerciſed?

A. It was their Duty to ſettle any Diſputes which might ariſe between the Zemindars and the Farmers of Government and their inferior Tenants, in different Gradations down to the Ryots or Cultivators of the Land: It was alſo their Duty to adminiſter Juſtice in Civil Cauſes throughout the Provinces, until, I believe, about the Middle of the Year 1780, when that Department was ſeparated from them; but I am not exact as to that; and, in general, they were anſwerable for the general Government and Peace of the Country.

Q. Were there any conſiderable Miſchiefs or Inconveniencies attending the Syſtem of the Provincial Council, and the Mode of collecting the Revenue by it?

A. It was thought that the Buſineſs was ſometimes retarded by the Diſputes which prevailed in the Provincial Councils, and it was thought that the Revenue had rather decreaſed under that Syſtem.

Q. Were thoſe Miſchiefs, or any other, obviated by the new Regulations in 1781, by the Subſtitution of the General Committee?

A. I do not remember, while I was in the Committee of Revenue, of any Diſputes happening to retard the Buſineſs, and I underſtood the Revenue was encreaſed at that Time, and, during the Time I was there, we encreaſed the Aſſeſſment paid by the Zemindars and Farmers to the Government; but I did not remain to the End of the Year.

Q. Whether the Provincial Councils, while they ſubſiſted, did not employ native Dewans in the Collection of the Revenue?

A. They did.

Q. Whether the Buſineſs of collecting the Revenue could be conveniently tranſacted without employing ſuch Perſons?

A. I do not think it could, without employing certain Natives to aſſiſt in the ſame Functions as were exerciſed by the Dewan.

Q. Why do you think ſo? Give your Reaſons.

A. I am afraid it will lead me to a long Diſcuſſion; becauſe, perhaps, one Provincial Council may have to ſettle the Rents or Revenue of upwards of a thouſand different Perſons; all their Agreements muſt be in a Foreign Language, either in Perſian or Bengal, not in Engliſh: Their Revenues were paid Monthly, or ſometimes twice in the Courſe of a Month; the Accounts were kept in another Language, in Bengal. It was impoſſible for any Engliſh Gentleman, or the Aſſiſtants he could have at that Time, to have gone through the Whole of the Detail himſelf; it was impoſſible he could have done it, as the Agreements were in another Language; it was neceſſary therefore to have a Native Officer to ſuperintend and direct the vaſt Number of inferior Native Officers that muſt be neceſſarily employed in that Buſineſs.

Q. Do

Q. Do you know of any other Reaſon: had they better Means of Information?
A. They certainly would have better Information.

Q. Whether the Collectors that are now ſubſtituted in the Provinces in the Room of the Provincial Councils do not employ Native Dewans?
A. I can only ſay, as it is upwards of Five Years ſince I left Bengal, that I have heard ſo; but I can only ſpeak from Hearſay.

Q. Do you know by whom they are nominated or appointed?
A. No.

Q. Whether you know, all Circumſtances conſidered, any Perſon more fit for the Office to which Gunga Govind Sing was appointed than Gunga Govind Sing?
A. I do not remember any Perſon at preſent that I ſhould have thought more fit than Gunga Govind Sing.

Q. He has been deſcribed as a Native of infamous Character, generally diſtruſted, hated, and feared: Was that his Character? Do you know the Character of Gunga Govind Sing?
A. I do not think he had generally a bad Character; on the contrary, I think he generally had a good Character; but at the ſame Time there might be Perſons found in Bengal who would give him a bad Character; there were Perſons who had taken oppoſite Sides of a Party, which will have an Effect upon the Minds of People, and Perſons who had ſuffered by his Appointment who were his Competitors.

Q. Did you know Ramchunda Sain?
A. I don't know him: I have heard a very indifferent Character of him.

Q. In the Execution of the Office of Dewan, did Gunga Govind Sing employ, or have the Aſſiſtance of a Perſon of the Name of Prawn Kiſhen?
A. Yes; he was his Son.

Q. Was Prawn Kiſhen fit to be employed in the executive Department of that Office?
A. I had a very high Opinion of Prawn Kiſhen.

Q. Did the Conduct of Prawn Kiſhen in that Office juſtify the Opinion you had of him?
A. He acted but a very ſhort Time under me in that Office, my Experience was before he was appointed to that Office; about Three Months after he was appointed he went up to Dacca with Mr. Shore, and about his Return, or ſoon afterwards, I accompanied Mr. Haſtings to the Northern Provinces; but I have always heard his Conduct favourably ſpoken of by thoſe with whom I have converſed.

Q. You have ſtated upon your Examination in chief, that Gunga Govind Sing was one Naib Canongoe,—Who was the other?
A. For a long Time, for a great Part of the Time I was employed in the Revenue Buſineſs, it was Sere Narrain Muſtofee, I do not recollect any other but him; Gunga Govind Sing was the Naib of One of the Canongoes, and Sere Narrain Muſtofee the other.

Q. Was he the particular Friend of Gunga Govind Sing, or immediately under his Influence or not?
A. I believe he was not; I think he was rather, in ſome Degree, a Rival of his, and in ſome Degree jealous of his Superiority.

Q. Do you recollect at what Time the Quadruple Alliance was formed between the Nizam, the Berar Rajah, the Poonah Government, and Hyder Ally? Do you know any Thing of ſuch a Quadruple Alliance?
A. I have heard there was; I underſtood there was.

Q. Did you ſo underſtand it at the Courts of the ſeveral Powers I have ſtated to be confederated in that Alliance?—Was you at thoſe Courts?
A. I was at the Court of Madajee Scindia, who was one of the principal Chiefs under the Peſhwa of the Mahratta Government, and at his Court I did ſo underſtand it.

Q. Did you ſo underſtand it at the Time you went upon your Embaſſy to the Berar Rajah? Was you employed at the Court of the Berar Rajah?
A. I was employed not directly at the Court of the Berar Rajah, but with the General of the Army:—I was ſent only upon an occaſional Embaſſy.

Q. Did you know of that Alliance then?—At what Time was the Force under Chimnagee Booſla diſpatched to the Frontiers of the Bengal Province?
A. I underſtand in the Year 1779; I believe in the Month of Auguſt 1779.

Q. At the Time that Force was ſo ſent, what was the Size of it under Chimnagee Booſla?
A. It was ſaid to conſiſt of 30,000 Horſe.

Q. Did you underſtand at the Time you was in the Camp with Chimnagee Booſla, that that Force was ſent in conſequence of the Alliance of thoſe Four Powers?
A. I underſtood ſo, that it was.

Q. Having

Q. Having aſcertained that the Alliance ſubſiſted at a Period prior to Auguſt 1779:—Whether, from that Period downward, there was not a peculiar Exigency in the Affairs of the Company for Money?

A. I am not ſure the Preſſure upon the Company's Affairs began ſo early as Auguſt 1779, but there was a very great Preſſure in their Affairs in the Beginning of the Year 1781.

Q. Do you know the Period when the Company began to make Payments in Paper?

A. I do not.

Q. Do you know whether that Army under Chimnagee Booſla, amounting to 30,000 Horſe, upon the Frontiers of the Company, was or was not, towards the End of the Year 1780, in conſiderable Diſtreſs for Want of Money or Proviſions?

A. I underſtood, from the Rajah Chimnagee the Commander, that it was.

Q. Do you know whether a Treaty was not opened between Mr. Haſtings and Chimnagee Booſla, the Miniſter of the Berar Rajah, for ſuſpending the Irruption of that Force into Bengal, and for other Purpoſes; and whether, in conſequence of that, the Firſt Sum of Three Lacks was not ſent to Chimnagee Booſla—Do you know of any Treaty between Mr. Haſtings and Chimnagee Booſla upon the Subject of that Force?

A. Yes.

Q. There was a Treaty for the Purpoſes I have ſtated?

The Managers for the Commons objected to the Queſtion.

Q. (*By a Lord.*) Was there any Negociation between Chimnagee Booſla and Mr. Haſtings for a Treaty?

A. If I underſtand right, it alludes to a Propoſal which I have underſtood was ſent from the Governor General and Council, in the Month of October, to Moodajee Booſla.

Q. (*By the Managers.*) Did you carry that Propoſal?

A. No; I did not.

Q. (*By a Lord.*) What Knowledge have you of it?

A. I was afterwards employed a good deal in Negociation between Chimnagee Booſla and Beneram Pundit, at the Time he came down to Calcutta, when they did actually ſettle a Treaty with our Government; it was from the Converſation I had then with Mr. Haſtings on the one Side, and Beneram Pundit on the other, I heard a great deal of the former Negociation, which never was carried into Effect.

Q. Who was Beneram Pundit?

A. He was Soubah of Cuttach on the Part of the Mahratta Government; when the Mahratta General was not pleaſed with the Terms I carried to him, and would not come to a Concluſion, it was the laſt Expedient to ſend Beneram Pundit along with me to Calcutta; and upon his arriving at Calcutta, he did enter into one, and a Treaty was afterwards ſettled, which is now upon your Lordſhips Table.

Q. Whether you do not know the Sum of Three Lacks was ſent by Mr. Haſtings to Chimnagee Booſla, in order to relieve the Diſtreſs of the Army under his Command, prior to the Time when you went upon your Embaſſy?

The Managers for the Commons objected to the Queſtion.

Q. Did you learn, in the Courſe of any Correſpondence you had with Chimnagee Booſla, the Matter of thoſe Lacks being ſo ſent?

A. Yes: I have ſaid that Beneram Pundit was ſent, on Behalf of Chimnagee Booſla, to ſettle Matters with the Governor General and Council at Calcutta. One great Object of that, was a Sum of Money to be paid to Chimnagee Booſla for the Relief of his Army. I was employed, not officially, but in Meſſages backwards and forwards to Beneram Pundit. The Sum ultimately ſettled was Sixteen Lacks, to be paid to Chimnagee Booſla for the Relief of the Berar Army; and, in Part of the Sixteen Lacks, it was admitted that Three Lacks had been ſent to the Berar Army at a previous Period.

Q. Did you alſo underſtand that from Chimnagee himſelf:—State what paſſed?

A. I do not remember that I had it from Chimnagee Booſla; I had very little Converſation upon Points of Buſineſs with Chimnagee, for he was very young, and left his Buſineſs to the Berar Miniſter; but, with reſpect to the Diſtreſſes, he himſelf took a Part, and, in the ſtrongeſt Terms, entreated me to repreſent his diſtreſſed Situation to the Governor General and Council.

Q. What Effects were produced upon the Intereſts of the Company by ſending this Supply of Three Lacks, and afterwards giving the further Supply of Thirteen Lacks?

A. It is difficult to ſay poſitively the Effects, but it is very certain that Chimnagee Booſla did not afterwards take any active Part againſt us, and I underſtood, on the contrary, that he ſent a ſmall Body of 2000 Horſe to join our Commander, and to aſſiſt Sir Eyre Coote; but they were not employed I believe.

Q. Whether,

Q. Whether, in conſequence of this Supply of Caſh, the March of Colonel Pearce to Madras was not allowed by the Rajah of Berar to paſs through the Heart of his Country?

A. The March of Colonel Pearce was admitted through the Heart of the Province of Oriſſa, which was under the Berar Government.

Q. Did you underſtand that to be in conſequence of the Money that was remitted?

A. It might have been in conſequence of the Firſt Sum of Three Lacks, but not of the Thirteen, becauſe it was prior to the laſt Payment.

Q. Whether the Army of the Berar Rajah did not occupy the only Road through which the Army could have paſſed?

A. I underſtand ſo.

Q. Do you not know the Road I am ſpeaking of; and whether that is not the proper and only Paſs for a Military Force?

A. I myſelf went to Cuttach.

Q. What Knowledge have you of the Berar Rajah's Forces having occupied the Poſt?

A. I underſtand they occupied that Part of the Country about Cuttach.

Q. You heard ſo?

A. Yes.

Q. From whom?

A. From the People of that Country.

Q. Whether, ſubſequent to the Time of theſe Three Lacks being ſent, you know of any Hoſtilities being committed in the Province of Bengal?

A. There were ſcarcely any Hoſtilities to be aſcribed to the Commander of the Marattah Army, but there were Inſtances of ſome plundering Parties, who made ſome Diſturbances there for Two, or perhaps Three Days at furtheſt.

Q. What Notice was taken of theſe ſlight Depredations by Chimnagee Booſla the Commander of the Army, and at what Period do you ſpeak of theſe Depredations having happened?

A. I believe I can fix the Date very nearly, becauſe it was about the Time that I arrived at Berepole upon my ſecond Embaſſy: I was detained there in conſequence of it; and I was obliged to change my Rout; it muſt have been about the 4th or 5th of March 1781.

Q. Whether Chimnagee Booſla puniſhed them, or whether any Notice was taken of it by Chimnagee Booſla?

A. Yes; I myſelf repreſented them, and he promiſed they ſhould be very ſeverely puniſhed.

Q. Whether the Road from Bengal to Cuttach was not a Cauſeway through an extenſive Marſh?

A. Excepting in the rainy Seaſon, I don't think it was to be conſidered as a Marſh.

Q. Was it a formed Road?

A. One Road was always conſidered as a High Road, and I believe it would have been very difficult for our Army to have marched by any other Way.

Q. Whether the Expedition that was planned and executed againſt the Dominions of Madajee Scindia had any Effect upon the Confederacy? Do you know of any Expedition?

A. I believe there was.

Q. Had it any Effect in detaching him from his former Alliance?

A. From what I could obſerve afterwards, and reaſoning upon the Subject, I ſhould imagine it had a conſiderable Effect; I mean, reaſoning from what I obſerved at the Time.

Q. Was you Miniſter at the Court of Madajee Scindia after this?

A. I was.

Q. What was the Situation of the Company's Affairs, and their pecuniary Reſources in 1780 and 1781?

A. I have underſtood that at the latter End of 1780 they were in very conſiderable Diſtreſs, and that there was a Difficulty of ſupplying the Expences of the various Armaments at that Time on Foot.

Q. Do you know how many Armaments were at that Time maintained in the different Parts of Hindoſtan?

A. I can only ſpeak of thoſe Armaments that were ſet on Foot from Bengal.

Q. Name thoſe ſent from Bengal itſelf?

A. In the firſt Place, the Troops with Sir Eyre Coote; the Detachments under Colonel Pearce, which marched about January 1781; there was alſo about this Time the Army under Colonel Camack in the Expedition to Malva.

Q. Do you know what Force was ſent under the Command of General Godard?
A. I beg Pardon, I omitted the Army under General Godard, maintained entirely by Money from Bengal, which was then acting upon the oppoſite Side of India.

Q. Having enumerated thoſe Armies, do you know whether thoſe Armies were well paid, or in conſiderable Arrears?
A. I underſtood they were in Arrear, but I cannot ſay poſitively.

Q. You were not with any of them yourſelf?
A. No; I juſt ſtopped with Colonel Pearce's Army.

Q. Whether, after the Irruption of Hyder Alley into the Carnatic, there did not exiſt in the Affairs of the Company, a Situation of great Exigency, Danger, and Diſtreſs?
A. I thought ſo, and almoſt every one thought ſo.

Q. In what Eſtimation was the Character and Conduct of Mr. Haſtings held by the Natives of Bengal?
A. I believe I may ſafely anſwer that Queſtion, that except by a very few Men indeed, the Adherents of former Parties who had been diſappointed in their Expectations, I believe his Character was held in very high Eſtimation.

Q. Upon the Subject of Humanity and Diſintereſtedneſs, was he eſteemed a humane and diſintereſted Man?
A. I think he certainly was eſteemed in that Way.

Q. Do you ſpeak of the Eſtimation Mr. Haſtings was held in, not only by the immediate Subjects of his own Government, but with the Princes and Powers in India with whom he had Occaſion to negociate?
A. I never heard him ſpoken of but in the higheſt Terms in the Courts where I reſided.

Q. (*by Managers*). Are you a military Man?
A. No.

Q. Nor ever were?
A. Never. I do not reckon the Militia Military; I was in the Militia for two Years.

Q. Do you know any Thing at all about the marching of an Army, or any Thing relative to Military Affairs?
A. I marched for Two Years with the Marrahta Army; but I know very little of the March of an European Army.

Q. Are you not the particular Friend of Mr. Haſtings?
A. I have long conſidered myſelf as ſuch.

Q. You ſaid it was the Duty of the Provincial Council to ſettle the Diſputes between the Renters and Ryots: Whoſe Duty was it to ſettle Diſputes between the Renters and the Ryots after the Abolition of the Provincial Council?
A. The general Committee of Revenue eſtabliſhed at Calcutta.

Q. And the General Committee only? Were any other Perſons charged with that Duty but the General Committee of Calcutta?
A. I do not recollect any other Perſons.

Q. You have ſaid the Provincial Council were anſwerable for the good Government of the Country under their Charge: Subſequent to the Appointment of the Committee of Revenue, who was anſwerable for the good Government of the different Provinces?
A. I now underſtand the Queſtion in a different Light; it was the Duty of the Council of the Committee of Revenue at Calcutta to ſettle all Diſputes of Revenue between Farmers and Ryots in ſuch Diſtricts as paid immediately to them; but there were other Diſtricts which ſtill remained ſubject, not to the Provincial Councils, but to Engliſh Gentlemen ſtationed under different Names, ſome under the Name of Collectors, others under the Name of Provincial Chiefs, being the Provincial Chiefs of thoſe Provincial Councils which were aboliſhed, and which Chiefs were allowed to remain.

Q. Whether the remaining of thoſe Provincial Chiefs was not a Meaſure merely temporary?
A. It was intended to be temporary, but I believe they were continued.

Q. Who was anſwerable for the good Government of the Country after the Abolition of the Provincial Council in thoſe Diſtricts where the Provincial Council had been anſwerable?
A. In thoſe Diſtricts where there were Chiefs and Collectors, the Chiefs and Collectors became anſwerable.

Q. But in thoſe Diſtricts where there were no Europeans, who was anſwerable?
A. After the Abolition of the Provincial Councils, if there were any Diſtricts where there were no Chiefs nor Collectors, the Committee of Revenue was anſwerable.

Q. How

Q. How much of the Diſtricts of Bengal were immediately under the Power of the Committee of Revenue?

A. I cannot immediately recollect; it ſtands upon Record.

Q. Was it a very large Proportion?

A. It was a very large Proportion; but in ſome there ſtill remained Chiefs in the Diſtrict; for inſtance, Patna:—I believe Cullian Sing and Kelleram, the Two Farmers General, engaged to pay their Rents to the Committee at Calcutta; but there ſtill remained a Chief there, Mr. Maxwell.

Q. Whether thoſe Chiefs, ſtated to be there for a temporary Purpoſe, had equal Power and equal Means to ſettle the Diſputes between the Renters or Ryots, or of providing for the good Government of the Country, as the Provincial Council;—were they armed with an equal Authority?

A. I do not think any Part of the Authority was taken from them.

Q. Do you think their Situation made them equally capable?

A. In ſome Reſpects they had more Power, in others they had leſs;—it is difficult to ſtate all Matters of Fact that might be ſtated; but in ſome they had more Power, becauſe a ſingle Chief, I hold, has more Authority than a Chief whoſe Power is parcelled out with Five other Gentlemen; he can act with more Firmneſs, acting from a ſingle Mind than from Five:—And I will ſtate in what Reſpect he might have leſs Power; if he was not the Perſon to receive the Revenue, nor anſwerable for the realizing the Revenue, he might ſometimes find it difficult to interfere in ſettling the Diſputes, which always gave riſe to ſome little Stoppage of the Revenue.

Q. Who did all the Buſineſs of the Native Dewans, after the Abolition of the Provincial Councils?

A. It was variouſly done: The Buſineſs of the Settlement was done differently—in ſome Places there were Engliſh Gentlemen deputed, and they had Native Dewans to aſſiſt them:—In ſome of the greater Diſtricts the Settlement was made immediately by the Committee of Revenue, or, if it required much Detail, by the Preſident of the Committee, and afterwards reported and approved of by the Board; and, as to the inferior Zemindars, it was impoſſible for the Committee to ſettle all of them: They were ſettled by their Dewan, who was Gunga Govind Sing, and where there were Collectors, the Collectors and their Dewan ſettled them; where they were Huzzoory, it was the Dewan of the Committee acting under the Preſident.

Q. In thoſe Diſtricts called Huzzoory, which are Two Thirds of Bengal, who ſettled, received, and decided the little Diſputes that aroſe, and which were formerly under the Management of the Native Dewans after the Abolition of the Provincial Council?

A. It was chiefly the Dewan, ſtill under the Preſident, and in the Provincial Council under the Chief.

Q. Did you apply yourſelf to the Diſtricts called Huzzoory as well as the reſt?

A. In the Committee we did.

Q. You ſay, thoſe Native Dewans had often to ſettle with a thouſand Perſons: How many had the Dewan to ſettle within thoſe Diſtricts which were called Huzzoory?

A. He would not have the ſame Proportion as if there were Six different Provincial Councils incorporated in the Committee, becauſe there was ſtill a great Part of the Country which remained under the Collectors; but he would have a very large Number, he would have ſome thouſands.

Q. My Queſtion goes to thoſe Diſtricts immediately under the Committee?

A. I have before ſaid, about a Thouſand under the Provincial Council: I took that Number of a Thouſand as a large Number; and under the Committee I ſaid he would have ſome Thouſands.

Q. Whether this Character of Gunga Govind Sing be a true one, or not; "that at the Time he was propoſed to be employed in the Company's Service he had many Enemies, and not one Advocate among the Natives"?

A. I do not think it is.

Q. Whether you have heard Gunga Govind Sing loaded with many general Reproaches, but never heard a Perſon expreſs a Doubt of his Abilities; is that true?

A. No; I do not think it is.

Q. Whether the Nizam took any hoſtile Step whatever againſt the Engliſh Government?

A. I underſtand not further than entering into the general Treaty which was intended to enforce Hoſtilities againſt them.

Q. Whether you ever ſaw that Treaty?

A. No; I never did.

Q. Can

Q. Can you take upon yourſelf to ſay, that any Step was ever taken in conſequence of ſuch a Treaty, if ſuch a Treaty exiſted?

A. I can only ſpeak of what I underſtood in all the Converſations I had with different People, and I do not remember it ever to be contradicted. I underſtood Hyder Ally invaded the Carnatic in conſequence of that Treaty; and Moodajee Booſla advanced to Bengal with an Intent, in conſequence of the Treaty, to invade it; but whether it was, or not ſo, I cannot ſay.

Q. Whether the Army under Chimnajee Booſla ever made any hoſtile Attack upon the Province of Bengal?

A. Under the Order of it's General none: I mentioned accidental Diſturbances, which aroſe from ſome Plunderers invading our Confines, but they made no hoſtile Attack otherwiſe upon Bengal.

Q. Whether in the Month of Auguſt 1779 the India Company were in any Difficulty for Money?

A. I do not know that our Diſtreſſes began ſo early;—I rather think they did not in the Month of Auguſt 1779.

Q. Can you explain how a Sum of Money, which lay in the Hands of Gunga Govind from Auguſt 1779 till October 1780, could tend at all to relieve the Diſtreſſes of the Eaſt India Company's Affairs?

A. I do not ſee how it could while it lay in Gunga Govind Sing's Hands.

Q. Whether a Sum of a Lack and an Half, which laid in Gunga Govind Sing's Hands from November 1780 to the preſent Day, might not have been employed beneficially to the Company's Affairs?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord*). Do you know if there was any ſuch Sum of Money in Gunga Govind Sing's Hands?

A. I do not know.

Q. If it were, it might have been better employed?

A. I do not know; if we had a large Balance in the Treaſury, it might be employed any other Way as well: But I believe that was not the Caſe; we wanted Money.

Q. (*By Managers.*) Whether, during the Whole of the Year 1780, there was any ſuch Diſtreſs in the Company's Affairs, as to put them to Difficulty in raiſing Three Lacks of Rupees?

A. I do not believe there was; I believe there was a larger Sum raiſed.

Q. Whether, after the Year 1781, the Company did not borrow ſeveral Millions?

A. They borrowed very large Sums; I cannot ſay what.

Q. Whether you heard, about that Time, of Mr. Haſtings receiving any other Sums of Money privately?

A. What Time?

Q. (*by a Lord.*) The laſt Time ſpoken of was during the Courſe of the Year 1780?

A. I really do not remember. I mentioned, that in 1780, about the End of the Year 1780, I heard of a Sum from Kelleram and Cullian Sing; and I then endeavoured to trace, in my Mind, if I ever heard of any other; but I could not trace in my Mind any ſuch Thing.

Q. Whether, at any Time from 1780 to 1784, you heard of any Money privately taken by Mr. Haſtings?

A. I am at a Loſs to recollect whether I did or not; but if I did hear of any, it muſt have been in the Year 1784, the latter Period of it, when ſome Correſpondence had taken Place between Mr. Haſtings and the Court of Directors; but I did not hear of it from any other Means, if I heard of it at all.

Q. Whether in Bengal, before you left it, in 1784 or 1785, you did, or did not, hear of any Sum of Money received privately by Mr. Haſtings, beſides that from Cullian and Kelleram Sing?

A. I certainly do not recollect at preſent any other Sum: I have no Recollection of it; all I can poſſibly recollect is from thoſe Letters Mr. Haſtings wrote; but whether I heard of them before I came to England, I cannot tell: I have endeavoured to trace it, and the Queſtion has been put to me elſewhere.

Q. Whether you did, or did not, hear of any other Sums of Money paid privately to Mr. Haſtings while you was in India?

A. I have ſaid, I cannot ſay that I remember it; and I am ſure I cannot ſay ſo: I do not remember it indeed, whether I ever heard of any or not: It was my Wiſh to have traced the Recollection of it, if I could have done it by any Means, in my own Mind.

Q. His Memory has failed him from the Time he was examined before our Houſe: I wiſh him to conſider the Effect of it?

A. I ſhould hope, in Juſtice to me, your Lordſhips will requeſt the Honourable Manager to point out what I ſaid at that Time; and if it recals to my Recollection any Thing I have now forgot I will certainly acknowlege it to your Lordſhips; but I do not recollect it; and I ſhould think myſelf highly to blame if I was intimidated to ſay any Thing which in my Conſcience I do not recollect.

The Managers for the Commons deſired the Examination upon that Subject might be read to the Witneſs.

The Witneſs was informed, that if he deſired it, any Thing might be ſtated to him from it; but it could not be read in Evidence.

(*Witneſs.*) A. When I wiſhed that my Evidence ſhould be read, it was for your Lordſhips Uſe; I do not think any Thing that could be read would make me alter what I have ſaid. I believe there will be found ſomething like this in it, 'that I have a faint Recollection,' or, 'I cannot ſay but I have ſome faint Recollection of having heard of it;' though I might ſay ſuch Things then, I muſt now ſay, from what I can trace of every Thing in my Mind to be the Truth, my Memory has often been confuſed from reading Papers, and I have been at a Loſs to know what I have heard; but I now ſtate, I do not think it any Reflection on myſelf, if they ſhould find I ſaid, 'I had ſome faint Recollection,' or, 'I am not ſure whether I might or not.'

Q. Do you know where that Sum of Three Lacks, that was paid to Chimnagee Booſla's Army, came from?

A. I do not; at leaſt I did not know it at the Time.

Q. Whether you recommended to Mr. Haſtings the Plan for the Abolition of the Provincial Councils, and for making a Committee of Revenue?

A. No; I think it was formed while I was in the Mahratta Country.

Q. Whether you have not been yourſelf a Member of the Provincial Council?

A. I was.

Q. Of how many?

A. I was in the Provincial Council of Moorſhedabad, and in the Provincial Council of Patna; and I was afterwards in the Provincial Council of Calcutta.

Q. Whether, while you were a Member of thoſe Councils, you did at any Time inform Mr. Haſtings, that, from Diviſions amongſt themſelves, or otherwiſe, they were incompetent to their Duty?

A. I do not recollect I did; though I have had many Converſations with Mr. Haſtings, in the Courſe of which my Opinion might come out.

Q. Whether you communicated to any other Member of the Supreme Council this Opinion of the Incompetency of the Provincial Council?

A. I do not recollect mentioning that Opinion to any of the Supreme Council, unleſs from Inference. I recollect a Plan drawn out by a Member of the Supreme Council, Mr. Francis, and ſent to me for my Sentiments upon it; I remember generally approving highly of the Whole, or the greateſt Part of that Plan; and in the Courſe of that Plan there certainly were ſome Expreſſions diſapproving of the Principles upon which the Provincial Councils were conſtituted; but I do not recollect whether I communicated to him that my Sentiments concurred in that Part.

Q. Did you ever mention it to any of your Co-members of the Provincial Council?

A. I do not know that I did; but I might have mentioned it.

Q. Whether you have heard who the Author of that Plan for aboliſhing the Provincial Committee of Revenue was?

A. I have underſtood Mr. Haſtings was the Author of it: I had Converſations with him upon the Subject before it was formed.

Q. Do you, or do you not, think that ſome other Perſon formed that Plan, and that Mr. Haſtings employed ſomebody to tranſlate it for him?

A. I do not know of it.

Q. Did you ever hear of it?

A. I do not know I ever heard it; I think not: I may ſay I never heard it.

Q. Whether you know of any Diſtrict where an Engliſh Collector was left?

A. Yes; there were ſeveral Diſtricts where Engliſh Collectors were left.

Q. Whether the Farmers General could practiſe in ſuch Countries great Oppreſſions without the Knowledge of ſuch Engliſh Collectors?

A. I do not think they could.

Q. Whether the Provincial Councils were not aboliſhed at a Time of conſiderable Diſtreſs of the Company's Affairs?

A. They were.

Q. Did the State of Warfare and Confederacies you have deſcribed exiſt at that Time?

A. I underſtood it did.

Q. Whether you have not heard of it?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether you do not know that Penſions were granted to the Members of the Provincial Council ſo diſmiſſed?

A. If I remember right, it was a Regulation of the Government at the Time of the Alteration.

Q. If Diſputes aroſe between the Farmer and Ryot in the Huzzoor Diſtricts, what Means the Committee had of controuling the Conduct of the Dewan, provided he ſhould judge unfairly in ſuch Conteſts?

A. I do not exactly remember that it was the Duty of the Dewan to decide in ſettling their Diſputes; but if he ever did interfere in a Thing of that Kind, upon a Complaint to the Chief, or the Preſident of the Committee, or to the whole Body of the Committee, they certainly might have granted Redreſs.

Q. Do you really think that in ſuch extenſive Provinces, in Diſputes between ſuch Numbers of People, it was in the Power of the Committee at Calcutta to controul the Dewan?

A. I think it would be difficult for the Committee to interpoſe a ſufficient Controul to guard againſt all the Abuſes of the Dewan.

Q. If it was known that the Dewan had a Correſpondence with the Governor General, in the Management of Money privately taken without the Concurrence of the Committee, would not that render ſuch Controul more difficult?

A. I think it would: In the Inſtance of myſelf perhaps it would not; becauſe it was pretty generally known that I enjoyed a Share of the Governor General's Favour ſufficient to enable me to act with Competence in every Reſpect.

Q. Whether you was in the Secret of Mr. Haſtings's private Tranſactions with Gunga Govind Sing relative to Money?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord.*) Do you know of any private Tranſactions between Mr. Haſtings and Gunga Govind Sing?

A. I do not.

Q. (*by Managers.*) Do you not know of Mr. Haſtings Proceedings privately with Kelleram?

A. When I ſaid I did not know, I muſt obſerve that I do not recollect any:—When I was aſked about it before, I could not recollect any Thing about Gunga Govind Sing being concerned in any of theſe Tranſactions; but, upon referring to ſome of my Papers, I rather think he was concerned, but I knew nothing of it at the Time; but from ſome Letters from my private Friends, I find ſomething alluding to Gunga Govind Sing being concerned.

Q. Whether, from the Manners of the Natives which you know, the Circumſtance of Gunga Govind Sing having a Connection more or leſs intimate with the Governor General, would not intimidate the People from making Complaints?

A. I rather think it would.

Q. What Salary or Appointments had Gunga Govind Sing for the Execution of his Office?

A. I do not remember: It is upon the Records.

Q. Whether, if any Perſon was to complain to the Committee of more Money being exacted from him than he was obliged to pay; whether his knowing that Mr. Haſtings received privately Money from Gunga Govind Sing, would not be a Means of preventing him from making that ſpecific Complaint?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by Counſel.*) If any Cauſe of Complaint had exiſted againſt Gunga Govind Sing amongſt the Natives, do you know of any Thing that would have prevented them from making that Complaint?

A. I do not know of any Thing that prevented them. I was aſked whether it was not likely to have ſuch Effect, and I admitted it might; but I do not know the Fact.

Q. Whether you are now of Opinion that the Abolition of the Provincial Councils, when it took Place, was a beneficial Meaſure?

A. I think it was.

Q. At

Q. At the Time you communicated to Mr. Haſtings the Rumour you had heard, reſpecting a Preſent ſtated to have been received by Mr. Haſtings from Kelleram; I deſire to know the Whole Mr. Haſtings ſaid to you upon that Occaſion?

A. I have already ſtated that I could not ſay the exact Words; but the Impreſſion remained upon my Mind, that he deſired me to give myſelf no Uneaſineſs upon it, for the Money had been paid in to Mr. Croftes, the Sub Treaſurer's Hands; and he obſerved upon the Meaſure, that he thought it right to take the Money in that Way at the Time the Company was in ſo great Diſtreſs, and it might not have been procured in any other Way.

Q. Have there been leſs Complaints of Oppreſſion in the Provinces ſince the Abolition of the Provincial Councils than before?

A. It is difficult to ſay whether leſs or more; I have heard of very great Oppreſſions in ſome particular Provinces; but I can only ſpeak from Hearſay.

Q. As a Member of the Provincial Committee of Revenue, whether, from your Knowledge of the Affairs at that Board, there have been more Complaints made?

The Counſel for the Defendant objected to the Queſtion.

The Witneſs was directed to withdraw.

Then PETER MOORE Eſquire, was called in, and being ſworn, was examined as follows:

Q. In what Situation was you in Bengal?

A. I was employed in the Revenue Department.

Q. In what Situation?

A. I was firſt employed as a Member of the Committee of Revenue at Calcutta, and afterwards as Member of the Council at Moorſhedabad; and, laſtly, Collector of ſeveral Diſtricts at Edrackpore, Dinagepore, and Rungpore.

Q. At what Time in theſe laſt Diſtricts?

A. In the Year 1784.

Q. Did you know Gunga Govind Sing?

A. Yes.

Q. In what Situation was he?

A. Gunga Govind Sing I firſt knew employed in the Khalſa for a ſhort Period; afterwards he was appointed Naib Dewan to the Calcutta Committee.

Q. Was you a Member of the Provincial Council at Calcutta when he was Naib to the Dewan?

A. I was.

Q. What Character had he when he was in that Situation?

A. A very bad one.

Q. Had you Occaſion to know, from your Situation, what his general Character was?

A. I certainly had.

Q. What Character had he when he was appointed Dewan to the new Committee?

A. A very bad one.

Q. In what Reſpect?

A. He was conſidered as a general Oppreſſor of every Native he had to deal with.

Q. Was that the general Character given him by Europeans, or by the Natives?

A. He was conſidered as ſuch by all Ranks of People; by Europeans he was deteſted, and by the Natives he was dreaded.

Q. Whether his Conduct, during the Time you was his Superior in the Calcutta Committee, was ſuch as met with the Approbation of that Committee?

A. It was not.

Q. In what Reſpect?

A. He was appointed to be an obedient and uſeful Servant to us; and his Conduct was in every Thing the Reverſe, as the Proceedings of the Committee will at large ſhew.

Q. Do you know the Situation into which he was put as Dewan of the New Committee?

A. I do.

Q. From your Knowledge of that Situation, had he it in his Power to be generally oppreſſive, or not?

A. He certainly had.

Q. Had

Q. Had he it in his Power to be corrupt, without that Corruption being eaſily detected?
A. I do not conceive he had.

Q. Do you know, or have you heard any Thing with reſpect to any Sum of Money received by Mr. Haſtings?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether you heard of any Reports or Rumours of any Sum of Money paid to Mr. Haſtings prior to 1782?
A. I did.

Q. What were thoſe Rumours?

The Counſel for the Defendant objected to the Queſtion.

Q. What were the Rumours you heard of Sums of Money received before 1782?
A. When the Provincial Council was aboliſhed I was at Rungpore; I did not return to Calcutta till October 1781, and very ſhortly after I called on Mr. Wheler——

Q. What Sums of Money did you hear, or Rumours of Sums of Money, received before 1782?
A. Of Four Lacks of Rupees received from Kelleram in October 1781.

Q. Were they, or were they not, general Rumours?——Do you know what a general Rumour means?
A. Yes.

Q. Were thoſe ſo?
A. They were.

Q. Were they Rumours, that from the Situation in which you heard them, were likely to come to the Ears of Mr. Haſtings?
A. I ſhould ſuppoſe ſo.

Q. Why do you ſuppoſe ſo?
A. Becauſe it was the Subject of much Converſation both at publick and private Tables; among the Europeans in particular.

Q. Whether it was not ſuch a Rumour as he was likely to have official Knowledge of?—What was the Rumour?

Then the following Queſtion, and the Anſwer of the Witneſs, were read, viz.

'Q. What Sums of Money did you hear, or Rumours of Sums of Money, received before 1782?
'A. Of Four Lacks of Rupees, received from Kelleram in October 1781.'

Then the Witneſs was aſked,

Q. (*by Managers.*) Under what Circumſtances did you hear that Rumour?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord*). Is your general Rumour more extenſive than you have deſcribed or not?—What is it you ſay, was it a general Rumour about receiving Sums of Money?
A. The general Rumour was, that Kelleram had given Four Lacks of Rupees for the Farm of Bahar?

Q. As far as that it was general?
A. Yes.

Q. Did you hear of any general Rumour of any other Circumſtance reſpecting that Tranſaction?

The Counſel for the Defendant objected to the Queſtion.

A. The general Rumour, the general Converſation, the general Hiſtory, the general Story, I really do not know how to expreſs myſelf; but the Rumour was, that 4 Lacks of Rupees had been taken for the Farm of Bahar.

Q. That was the Extent of what you deſcribe as the general Rumour among the People, abſtractedly of particular Converſation?
A. Abſtractedly of particular Converſation.

Q. Did you ever hear any other general Rumour reſpecting any other Sums of Money received?
A. I have ſince 1782, but not before.

Q. Did

Q. Did you ever hear any Rumour in reſpect to a Sum of Money taken from one Nobkiſſen, prior to the Year 1784?

A. I have heard of a Payment made by Nobkiſſen; but I did not hear of it till the latter End of the Year 1784.

Q. In your Situation as Member of the Provincial Council at Calcutta and Murſhedabad, you muſt be competent to anſwer, whether the Provincial Council were competent to the good Conduct of their Dewan?

A. They certainly were.

Q. Whether any Oppreſſion could have been, to any conſiderable Extent, carried on without its coming to the Knowledge of the Provincial Council?

A. Certainly not.

Q. When was you appointed Collector at Edrack, Dinagepore, and Rungpore?

A. In April 1784.

Q. Whether, in that Situation, there was equal Power of protecting the Natives, and equal Means of diſcovering Oppreſſion, as during the Exiſtence of the Provincial Council?

A. There certainly was.

Q. In thoſe Diſtricts, where there was no Collector, were there equal Means of detecting and preventing Oppreſſion under the new Government as under the Provincial Council?

A. I conceive not; the good Government of the Country, the Realization of the publick Revenues, the Security of Individuals Property, depends upon a vigilant active local Controul. This is an Opinion I have given ſeveral Years ago, founded upon my own Experience.

Q. Whether ſuch a Controul, as you have ſtated, did not exiſt under the Provincial Council?

A. There was; but not ſo particular as I think it ought to have been.

Q. Whether that Degree of Controul that exiſted under the Provincial Council was encreaſed or diminiſhed by the Appointment of the new Committee?

A. I believe it was nearly totally done away.

Q. Give your Reaſons why you think it was nearly totally done away?

A. The Payment of the publick Revenues was in general brought down to Calcutta: Diſtant Provinces are without a local Controul: It was not poſſible for the Provincial Council, ſituated as they were, to exerciſe a local Controul over diſtant Provinces.

Q. You mean to ſay the Committee of Revenue, not the Provincial Council?

A. Yes; the Committee of Revenue.

Q. Whether if it were known in the Provinces, that the Dewan of the Committee was in a private Connection with the Governor General, it would have been in the Power of the Committee to have checked that Dewan ſo effectually?

A. I conceive not.

Q. From what you know of the Manners and Cuſtoms of that Part of the World, whether the Knowledge of the Exiſtence of ſuch a Connection would not very much diminiſh the Controul and Authority of that Committee?

A. I believe it would.

Q. Whether it was, or was not, the general Cuſtom to take collateral Security from the Farmers who took Farms of the Provincial Councils?

A. Invariably the ſtanding Rule.

Q. Do you know whether any Security was taken from Kelleram or Cullian Sing?

A. I do not know.

Q. When was it you heard any Thing of a Sum of Money privately given by Nobkiſſen to Mr. Haſtings?

A. The latter End of 1784, or the Beginning of 1785.

Q. Had you any Diſcourſe with Nobkiſſen himſelf upon that Subject?

The Counſel for the Defendant objected to the Queſtion.

Q. Have you had or received any Letters from Nobkiſſen upon that Subject?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether the Office of Provincial Dewan was not totally aboliſhed in the Year 1781? Do you know what the Office of Provincial Dewan was?

A. Yes. When the Councils were aboliſhed, I believe their Dewans were recalled with them, except in Caſes where a Chief was left.

Q. Was it not the Duty of the Dewan to be a Check upon the Farmer in Favour of the Ryots?
A. Moſt certainly that was a Part of his Duty, under the Direction of the Council at large, or under the Direction of the acting Chief.

Q. If the Office of Dewan and Farmer were joined in the ſame Perſon, would any Check exiſt?
A. Not in the Dewan certainly.

Q. What was the Duty of the Naib Canongoe?
A. The general Duty of the Canongoes and their Naibs was to keep the Records, to inſpect them accurately, to check the Farmers Accounts, and to check all public Accounts.

Q. Whether the Union of the Offices did not tend to deſtroy that Effect?
A. It certainly did, in the ſame Manner as the Union of the Two Powers of the Farmer and Dewan.

Q. What was the general Effect of appointing a ſingle Dewan to do the Buſineſs of the whole Provinces under the Authority of the Committee?
A. Too great a Power and Truſt in the Hands of him, certainly.

Q. (*Croſs examined.*) You ſaid it was a ſtanding Rule to receive collateral Securities: Whether you were acquainted with letting Lands in Bahar?
A. When I ſpeak of a ſtanding Rule, I mean, it was a ſtanding Rule for our Guidance, given by the Governor General.

Q. In what Place?
A. When I was employed, at Murſhadabad.

Q. Was this invariably obſerved?
A. I have always underſtood it to be a general Rule; if there has been any Exception, I have not been acquainted with it.

Q. Do you know any Thing of the Manner of letting of Lands in the Province of Bahar; or, in other Words, whether you mean to ſwear, that it was uſual, in all Caſes of letting Lands in Bahar, to take Security from the Perſons to whom they were let?
A. I never have been employed in the Province of Bahar; but if I had, I certainly ſhould not have let a Farm without a collateral Security.

Q. You never was employed there, and you do not know the Manner of letting Lands there?
A. No.

Q. Have you any Knowledge of the letting of Lands any where, except in the Places where you yourſelf was, in reſpect to Security?
A. It is impoſſible for me to ſpeak to Acts where I have not been preſent myſelf: I have been Twenty Years in the Service; I have been employed in nothing but the Revenue Line, and I look upon myſelf competent to that Duty.

Q. You have therefore had it in Injunction to take Collateral Security?
A. It was a ſtanding Rule.

Q. Do you by that mean to convey, that it was a ſtanding Order, or that, in point of Fact, the Order had been obſerved?
A. I meant, it was a general ſtanding Rule throughout the Provinces for any Thing I know to the contrary; and if I had been in any Situation to let Lands, I ſhould have thought myſelf deficient in Duty if I had not obſerved it: I never knew an Inſtance to the contrary, ſo far as it depended upon me.

Q. You mean to confine your Knowledge of the Fact to the Inſtances in which you was employed?
A. Yes.

Q. In the Places where you was employed, was a Security conſtantly taken?
A. To the beſt of my Recollection it was.

Q. You ſaid you were a Member of the Provincial Council at Calcutta,—Whether you was, or was not, diſmiſſed from that Office?
A. It does not deſerve ſuch an Epithet as diſmiſſed, nor turned out; I look upon that to be pointed at my Character and Conduct, and therefore I ſhall beg Leave to be the more particular in anſwering it. I have ſaid, in anſwer to a former Queſtion, that Gunga Govind Sing was appointed to be an obedient and uſeful Servant to us, and that he was every Thing the contrary: It was in a Struggle to make him do his Duty that we fell under a Charge of Neglect of Duty and Diſobedience of Orders; in our Defence, we ſhewed that we had conformed to every Order, and that we had paid implicit Obedience to the Orders; notwithſtanding, as they were pleaſed to expreſs it, we were diveſted of our Truſt; not that I believe (and being upon my Oath now I ſay it) that we were guilty or criminal, or that we deſerved it; but that Queſtion having been pointed, as I

conceive, at me and my Conduct, I do not hesitate saying, which I should have been sorry to have said in any other Situation, that we were dismissed to leave Gungo Govind Sing at the Range of his own Conduct.

Q. When, and by whom, were you divested of your Trust?

A. In the Month of October 1778:—The Council General was composed of Four Members, Mr. Hastings, Mr. Barwell, Mr. Francis, and Mr. Wheler: I have never, even to this Hour, seen what their Debates at the public Board on that Occasion were; but, I believe I am authorised to say, it was the Act of Mr. Hastings and Mr. Barwell only.

Q. Then you consider your being divested of your Trust as the Act of Mr. Hastings and Mr. Barwell only?

A. Yes.

Q. By whom are you authorised to say, it is to be considered as the Act of Mr. Hastings and Mr. Barwell only?

A. I have gathered as much from Conversation with Mr. Francis and Mr. Wheler.

Q. Was the Conversation of Mr. Francis with respect to what passed in Council?

A. Mr. Francis's Words to me, as well as I can recollect, were nearly these; "I endeavoured "to put the Question upon each of you separately, thinking it extraordinary, that if Neglect had "been proved, that every individual Member of the Council should suffer equal Punishment, as "the President was vested with executive Authority; if there was Neglect, it rested with him and the "Dewan: The Members of that Council at large had their Duty merely confined to meeting when "summoned, and giving an Opinion when asked, and giving a general View of the whole Trust "committed to them." It is a great many Years since this has happened, therefore if this is not very accurate, I trust Mr. Francis, if he hears me, will excuse me.

Q. When was this Conversation held between you and Mr. Francis?

A. In the Year 1778, much about the Time of its happening, I believe within a few Days after: When these Proceedings were had, I was very ill, and at a Distance; and therefore it was not possible for me to commune with Mr. Francis while the Matter was pending.

Q. (*by Managers.*) At what Time was you appointed to the Council at Murshadabad?

A. In April 1780.

Q. Who composed the Supreme Council in the Month of April 1780?

A. Mr. Hastings, Mr. Francis, and Mr. Wheler.

Q. Who appointed you to the Situation of Collector of Dinagepore, Rungpore, and Edrackpore?

A. I was appointed by the Council; consisting then of Mr. Wheler, Mr. M'Pherson, and Mr. Stables.

Q. Whether the Office of Member of the Provincial Council at Murshedabad, and Collector of the Three Provinces, Dinagepore, Rungpore, and Edrackpore, you have mentioned, was not an Office of as great Trust, as that of being Member of the Provincial Council at Calcutta?

A. Much greater.

Q. Whether the Proceedings for divesting you of the Office of Member of the Provincial Council at Calcutta, did or did not take place at the Revenue Board?

A. It did.

Q. Whether, when you was appointed to the Council at Moorshedabad, you heard Mr. Hastings made any Objections to you, upon Account of your Character?

The Counsel for the Defendant objected to the Question.

A. I come here to answer upon Oath such Questions as your Lordships think proper to put to me; I did not know I was called here to be put upon my own Defence.

The House informed the Witness, he might decline answering the Question, if he thought fit.

The Witness said, He should be exceedingly desirous to answer that or any other Question.

Q. (*by Managers.*) Whether, after your Dismission from the Calcutta Committee, and the subsequent Nomination of you to the Provincial Council at Murshadabad, you had heard that Mr. Hastings made any Objection to you upon Account of your former Character or Conduct?

The Counsel for the Defendant objected to the Question.

Q. Do you know whether Mr. Hastings made any, and what Objection to your being nominated to the Provincial Council at Murshadabad, after you were dismissed from the Calcutta Committee?

A. He certainly made no Objection; on the contrary, I have been given to understand, it was even proposed by Mr. Hastings himself as some Retribution to me.

Q. Have

Q. Have you any Knowledge of your own upon that Subject?
A. I believe Mr. Haſtings made no Objection; I never heard that he did.

Q. (*by Counſel.*) Was you preſent at the Time of the Diſcuſſion?
A. When I departed for Murſhadabad Mr. Haſtings wiſhed me all Manner of Succeſs; that does not imply he objected; if he had objected, I certainly would not have gone.

Q. (*by Managers.*) Had you any other Converſation with Mr. Haſtings after you were ſo named to the Council at Murſhadabad about any Subject?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether you had any Converſation with Mr. Haſtings beſides that which you have now mentioned?
A. Not upon official Duty, till after Mr. Haſtings's Return to Calcutta, the Beginning of 1782.

Q. Had you then?
A. I had; I cannot exactly tell at what Period.

Q. Did Mr. Haſtings at that Time expreſs to you any Senſe of your having been deficient in your official Duty?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord.*) Did Mr. Haſtings hold any Converſation with you upon the Subject of your official Duty?
A. None at all.

Q. (*by Managers.*) Upon the Subject of your Diſmiſſion?
A. None at all.

It being ſuggeſted that the Witneſs underſtood the former Queſtion to have related to a Converſation about his Diſmiſſion, and not about his official Duty, the ſaid Queſtion, and the Anſwer of the Witneſs, were read by the Clerk, viz.

'Q. Did Mr. Haſtings hold any Converſation with you on the Subject of your official Duty?
'A. None at all.'

The Witneſs ſaid,

I do not recollect hearing that Queſtion before.

Q. Had you any Converſation about your official Duty?
A. The Queſtion brings my Recollection to a particular Thing which I did not recollect till that Queſtion was put. At the Concluſion of the Firſt Year under this new eſtabliſhed Committee, I believe general Diſſatisfaction and bad Opinions began to prevail of its Efficacy.

Q. Whether you had any Converſation upon the Subject of your official Duty?
A. Not upon my official Duty; but upon Affairs at large.

Q. What Converſation had you with Mr. Haſtings upon the Subject of this Committee of Revenue?
A. No particular Converſation with him upon the Subject of the Committee; I gave him a ſhort Outline of a Plan, in Writing———

Q. Upon that Plan you had ſome Converſation?
A. Upon the general Subject of which Mr. Haſtings was pleaſed to pay me ſome Compliments, and ſaid he would read it over before he ſlept that Night.

Q. Whether Mr. Haſtings did at that Time expreſs an Opinion upon that Committee, or the Provincial Council?

The Queſtion was objected to by the Counſel for the Defendant.

Q. Had you any Converſation with Mr. Haſtings upon the Subject of that Committee?
A. No.

Q. Upon the Provincial Council?
A. No; I had no Converſation with Mr. Haſtings upon any One of thoſe Points; the Whole of the Matter between Mr. Haſtings and myſelf was contained in that written Paper which I gave him.

Q. (*by a Lord.*) Had you any Penſion aſſigned you, or Sum of Money allowed you by Government, ſubſequent to your being diveſted of your Truſt?
A. Not any.

Then the Houſe adjourned to the Chamber of Parliament.

Die Martis, 18° *Maii* 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons they might proceed to make good their Charge.

The Managers for the Commons ſtated, that an Attempt having been made, in the courſe of the laſt Day's Proceedings, to throw an Imputation upon the Character of Mr. Moore, as having been diſmiſſed from his Office, they would proceed to ſhew that he was raiſed to higher Situations by Mr. Haſtings himſelf at a ſubſequent Period.

Mr. HUDSON was called in, and produced Book 261, intituled, " Bengal Revenue Council, 21ſt March to 23d May, 1780."

Read, the following Extract of a Conſultation of the 21ſt March 1780, beginning at Page 44 of the ſame Book.

" Fort William, the 21ſt March 1780.

" At a Council; Preſent,

The Honourable Warren Haſtings Eſquire, Governor General, Preſident;

Philip Francis,
and
Edward Wheler,
} Eſquires.

" The Governor General recommends, that Meſſrs Peter Moore, William Wroughton, and Edward Eyre Burges, may be appointed to the vacant Seats in the Provincial Council of Moorſhedabad. That Mr. Dawſon may be removed from the Council of Burdwan to that of Dinagepore, and Mr. Pye from Dinagepore to ſupply his Place at Burdwan. Appointments recommended by the Governor General.

" Approved, and agreed to the Governor General's Recommendation, and that the following Letters be in conſequence written to the Provincial Councils of Moorſhedabad, Dinagepore, and Burdwan.

" To Mr. William Hoſea, Chief, &c. of the Provincial Council at Moorſhedabad. L. S. No. 22.

" Gentlemen, Provincial Councils addreſſed.

" We have this Day thought proper to appoint Meſſrs Peter Moore, William Wroughton, and Edward Eyre Burges, to be Members of your Board.

" We are, &c.

Fort William,
21ſt March 1780.

Signed at the End of the Conſultation,
" Warren Haſtings,
P. Francis,
Edwd Wheler."

Read, from Book 245 already delivered in, the following Extract of a Conſultation of the 7th April 1784, beginning at Page 617 of the ſame Book.

" Fort William, the 7th April 1784.

" At a Council; Preſent,

Edward Wheler,
John Macpherſon,
and
John Stables,
} Eſquires.

The Governor General abſent on a Viſit to the Vizier.

" Mr. Wheler reminds the Board, that the Appointment of a proper Perſon to take Charge of the Collections and Adawlut at Rungpore was referred from the laſt Meeting of Yeſterday to this Day, and as he has no Perſon particularly to recommend for that Appointment, he deſires the Members of the Board would make Choice of one. Mr. Wheler's Minute regarding the Appointment of a Perſon to Rungpore.

" Mr.

Mr. Macpherſon's.

" Mr. Macpherſon.—I move that the Liſt of Company's Servants be taken, and that an old Servant of acknowledged Ability, and known to be converſant in the Languages of the Country and Revenue Matters, who may at preſent be out of Employ, be appointed to this important Truſt; a Truſt, which the Honour of this Government and the Intereſt of Humanity call upon us unitedly and ſeverally to ſee properly filled, and faithfully executed. The Charge of this Station, I mean the Collectorſhip of Rungpore and Adawlut, muſt, in the preſent Situation of the Inhabitants of that Country, be a Truſt of Difficulty, and the Board ſhould therefore, in my Opinion, take a future Occaſion to conſider the Services of any Servant who may be appointed to it, if he diſcharges his Duty faithfully; for the preſent State of the Revenues of that Diſtrict muſt occaſion to him many Embarraſſments, and cannot be attended with the ſame Credit as if the Country was in Proſperity. If the Board are of this Opinion, they will promiſe a future Compenſation as an Encouragement to whoever may be now appointed to the Charge of Rungpore, and who ſhall execute the Duties of that Station to the Satisfaction of the Natives, and with a Fidelity to merit the Approbation of Government. I have no particular Perſon in view for this Nomination.

Liſt of Company's Servants read, and Appointment of Mr. Moore to Rungpore.

" The Liſt of Company's Servants being then called for, and read, and Mr. Moore appearing to come under the Deſcription mentioned in the foregoing Minute, the Board agree to appoint him to the propoſed Charge.

" Agreed, that the Committee of Revenue be adviſed thereof as follows:

Committee of Revenue adviſed.

" To Mr. John Shore, acting Preſident, &c. Members of the Committee of Revenue.

L. S. No. 41.

" Gentlemen,

" We have this Day appointed Mr. Peter Moore to the Charge of the Collections of Rungpore, as alſo Judge of the Dewanny Adawlut of that Station, and you will accordingly furniſh him with the neceſſary Inſtructions for the Duties of the former Office.

" We are, &c.

" Fort William,
the 7th April 1784.

Signed at the End,

" John Macpherſon,
John Stables."

Read, from the ſame Book, the following Extract of a Conſultation of the 8th of April 1784, beginning at Page 717 of the ſame Book.

" Fort William, the 8th April 1784.

Rev. Dept. Thurſday.

" At a Council; Preſent,

Edward Wheler,
John Macpherſon,
and
John Stables,
} Eſquires.

The Governor General abſent on a Viſit to the Vizier.

Mr. Moore.

" Read, the following Letter from Mr. Moore.

L. R. No. 100.

" To the Honourable the Governor General, &c. Council of Revenue at Fort William.

" Honourable Sir, and Sirs,

" I have had the Honour to receive a Letter from your Secretary, informing me that you had been pleaſed to appoint me to the Charge of the Collections of Rungpore, and Judge of the Dewanny Adawlut.

" With every Diſpoſition to conform to your Orders, and ever moſt willing to regulate myſelf by the Mandates of Government, ſuffer me to hope your Re-conſideration of the Appointment in Queſtion. Mr. Goodlad, whoſe Place I am to fill, was originally Collector of Dinagepore, Rungpore, and Edrackpore. On the Removal of Deby Sing from Dinagepore the Settlement was made with the Amlah, or Servants of the preſent Miner Zemindar, who have ſince obtained Leave to pay their Rents at the Preſidency. The Object of a diſtant Country paying its Rents at the Preſidency is nothing more or leſs than that the Managers may be let looſe to their Conduct, and local Controul be removed. This is literally its Meaning.

" Hence I am induced to hope, and flatter myſelf the Honourable Board will not think me unreaſonable in requeſting, that they will be pleaſed to reconſider my Rank and Situation in the Service, and put me on an Equality with Mr. Goodlad, many Years my Junior, by placing me in the Station which he originally filled, viz. in Charge of the Collections of Dinagepore, Rungpore, and Edrackpore.

" I am, &c.

" Fort William,
8th April 1784.

(Signed) P. Moore."

" The

" The Board, in conſequence of the above Repreſentation, agree, that in Addition to the Collections of Rungpore, Mr. Moore be inveſted with the Power of receiving from the Zemindars the Revenues of Dinagepore, and Edrackpore, to be remitted by him to the Preſidency. Reſolution thereupon.

" Agreed, that the following Letter be in conſequence written to the Committee of Revenue. Committee Revenue adviſed.

" To Mr. John Shore, acting Preſident, &c. Committee of Revenue. L. S. No. 43.

" Gentlemen,

" We have thought proper, in Addition to the Charge of the Collections of Rungpore, to inveſt Mr. Moore with the Power of receiving from the Zemindars the Revenues of Dinagepore, and Edrackpore, to be remitted by him to the Preſidency.

" We are, &c.

" Fort William,
8th April 1784.

Signed at the End,
" John Macpherſon,
John Stables."

Q. (*by Counſel*). Whether the Conſultations of the 15th of September, 13th of October, and the 16th of October, 1778, ſtating the Charges againſt Mr. Moore, are in Exiſtence?

A. The Books mentioned are here in Court.

Then the Witneſs was directed to withdraw.

The Managers for the Commons deſired to know, whether the Defendant, agreeable to the Notice he had received, was ready to produce Mr. Moore's Plan.

The Counſel for the Defendant ſtated, that the Managers for the Commons might give parole, or other Evidence, of the Contents of it.

Whereupon PETER MOORE Eſquire was again called in, and examined as follows:

Q. Whether you have any Copy of the Paper which you delivered in to Mr. Haſtings, relative to the better Collection of the Revenue?

A. I have not a Copy, but I have preſerved the Principles of it, which I have extracted upon Paper, if your Lordſhips think fit to receive it.

The Counſel for the Defendant objected to the Evidence.

Q. Whether your Memory ſerves you as to the principal Heads of the Plan you delivered to Mr. Haſtings?

A. It does.

Q. Repeat them to the Court.

A. The Whole contained, what I conceived to be, the beſt Outlines for the Management of the Revenue of that Country:—Firſt, to eſtabliſh an active local Controul throughout the Country; Secondly, to remove all Dewans, the native Officers employed between the European Repreſentatives of the Company and the People, as Perſons capable of much Miſchief; the Eſtabliſhment of a fixed Zemindary Syſtem, the total Excluſion of farming, and the Employment of the Company's Servants as Collectors or Superintendants throughout the whole Country, as Perſons to be depended upon, and the only Perſons that could be depended upon by any Government whatever; thoſe I remember were the Outlines.

Q. Whether, on your Return from Rungpore, any Complaints were made againſt you for Mal-adminiſtration?

A. None. There was One Repreſentation which I was called upon to explain, and as ſoon as it was known it explained itſelf.

Q. Whether or no there was any Balance left at the End of the Collection, and what?

A. No Balance at all.

Q. Whether, in realizing the Collections of Rungpore, you found it neceſſary to make uſe of any Torture?

A. No, I did not, nor any Puniſhment whatever.

Q. Whether you think it neceſſary to uſe any Torture for the Collection of a fair Revenue?

The Counſel for the Defendant objected to the Queſtion.

Q. Do you wiſh to explain any Thing relative to your Evidence?

A. I was thrown into a very awkward Predicament at my laſt Examination, and conſequently was not prepared to anſwer ſo fully to one Point, in particular, as I wiſhed to have done: It was a Thing that happened a great many Years ago, and whatever may be the Conſtruction to the contrary,

trary, though it was a Fact that I could not forget, it certainly was a Thing that I had long and many Years ago totally forgiven, I mean, what was ſtated in the Words "diſmiſſed from the Calcutta Committee." I ſtated in my Anſwer, that while we were ſtruggling to make Gunga Govind Sing, our Dewan, do his Duty, we were furniſhed with a Charge of Diſobedience of Orders and Neglect of Duty;—with your Lordſhips Permiſſion, I would make this little Amendment in the Anſwer which I then gave, that it ſhould run thus;—we were furniſhed with a Charge of Diſobedience of Orders, and Neglect of Duty, founded on an Act of the Committee, who were in the Diſcharge of their Duty, and acting in Obedience to the ſtanding Orders of the Governor General and Council.

Q. Is there any Fact you ſuppoſe not to be repreſented in the Manner you wiſh it to be?
A. In the wording it?

Q. Not the wording it, but the Fact?
A. I think it exceedingly material to my Character: In diſcharge of our Duty, we had releaſed 15 Perſons illegally in Priſon—I have not ſeen the Evidence, I have only taken this from my Memory.

The Witneſs was directed to withdraw.

Then WILLIAM HARWOOD Eſquire was called in, and being ſworn, was examined as follows.

Q. How long have you ſerved the Company in India?
A. I believe about 17 Years.

Q. In what Situation did you laſt ſerve the Company in the Collection of the Revenue? Were you in the Collection of the Revenue?
A. Yes.

Q. In what Situation?
A. Chief of the Province of Dinagepore.

Q. Do you mean of the Provincial Council?
A. As Chief of the Provincial Council at Dinagepore.

Q. Whether you found any Difficulty in executing your Duty in the Collection, from any Defect in the Conſtitution of the Provincial Council, of which you was Chief?
A. I do not remember I did.

Q. Did any other of the Members of the Provincial Council repreſent to you that they found themſelves under ſuch a Difficulty—Do you know of any Difficulty there was in the Provincial Council in executing their Duty?
A. I do not recollect any.

Q. Or any Repreſentations made by them to you as their Chief?
A. None at all.

Q. Did Mr. Haſtings make any Repreſentation to you reſpecting the Councils?

The Counſel for the Defendant deſired the Witneſs might be firſt aſked—Whether all the Communications between Mr. Haſtings and the Witneſs were not in Writing?

The Witneſs was aſked,

Q. Whether he had any Communication with Mr. Haſtings on that Subject, except in Writing?
A. No.

Q. Did you receive any Communication from Mr. Haſtings upon this Subject, either in Writing, or by Word of Mouth?
A. None at all.

Q. In no way?
A. No.

Q. Did you ever ſee Mr. Haſtings after you was appointed a Member of that Provincial Council?
A. Several Times.

Q. Did he at any of thoſe Times aſk your Opinion reſpecting the Competency or Incompetency of the Provincial Council in the Execution of their Truſt?
A. He did not.

Q. Whether

Q. Whether or no you found it neceſſary, for the Collections of the Revenue, to employ any Tortures?

The Counſel for the Defendant objected to the Queſtion.

Then the following Queſtion put to Peter Moore Eſquire, and his Anſwer thereto, was read by the Clerk:

Q. "Whether, in the Realization of the Collections of Rungpore, you found it neceſſary to make uſe of any Tortures?
A. "No, certainly not; nor any Puniſhment whatever."

Then the Managers for the Commons deſired that the following Queſtion might be put to the Witneſs:

Q. Whether, in the Realization of the Revenue in the Provinces of Rungpore, Dinagepore, or Purnea, you found it neceſſary to make uſe of any Torture?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord.*) In what Manner did the Provincial Council proceed in the Collection of the Revenues?
A. We proceeded in the ſame Manner that all other Provincial Councils proceeded, I believe, making uſe of no Severity whatever.

Q. (*by Managers.*) Whether you think the annual Syſtem of farming to the higheſt Bidder has or has not a Tendency to introduce Cruelty in the Collection of the Revenue?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord.*) Has the letting of Lands by the Year to Farmers a Tendency to produce Rigour and Cruelty in the Collection of the Revenues?
A. It certainly may have ſuch a Tendency.

Q. (*by Managers.*) Whether you think, from your Knowledge of the Country and the State of the Revenues, that the Committee of Gentlemen ſitting at Calcutta would be enabled, upon a Peruſal of the Rates and Remiſſions regiſtered in their Office, to make any equitable Plan for the Riſe of ſome Farms and the Fall of others, according to their ſeveral Diviſions?
A. Certainly not ſo able as a Council reſiding upon the Spot.

Q. Whether or no the Gentlemen at Calcutta had a ſufficient Means upon a Huſſoor Collection to controul the Oppreſſions of Farmers in the diſtant Provinces?
A. I imagine not.

Q. Whether, from your Knowledge of the Country and Skill in Collection of Revenue, a Farmer in the Country could practiſe great and notorious Oppreſſions without their coming to the Knowledge of the Members of the Provincial Council reſident in the Province?
A. I ſhould apprehend not.

Q. Whether the Office of Dewan to the Provincial Council, or to the Committee of Revenue, is or is not an Object of great Importance?
A. Certainly it is.

Q. Whether the Provincial Council had a legal Power to coerce the Dewan, and prevent his oppreſſing the Country?
A. They had.

Q. Whether, if the Dewan was a Perſon known to be in intimate and confidential Connection with the Governor General, and to be employed by him in taking Money privately in the Provinces, that Dewan would be as obedient to the Council as a Perſon in other Circumſtances?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord.*) Whether, according to your Knowledge of the Diſpoſitions and Manners of the People, the Relation mentioned, between the Dewan and Governor General, would not give him more Authority to oppreſs?
A. If the Dewan found himſelf protected by the Governor General, he certainly would feel himſelf much more independant than the Council.

Q. Whether, from your Knowledge of the Country, the Diſpoſition of the Natives, of the Revenue, and of the State of the Company's Service, you think that a Committee of Revenue ſitting at Calcutta would have the ſame Means of preventing the Dewan from Oppreſſions in remote Provinces, as the Council reſident on the Spot?
A. They could not have the ſame Means.

Q. Whether

Q. Whether you have heard of a Perſon in Bengal called Gunga Govind Sing?
A. I have heard of ſuch a Perſon.

Q. Whether you know any Thing of his Character, of the general Character he bore,—of his Reputation?
A. In his publick Employment I have heard he was very arbitrary and oppreſſive, and that that was his general Character.

(*Croſs examined.*)

Q. Whether Mr. Francis communicated to you a Minute in the Year 1776, reſpecting the Mode of adminiſtering the Revenue by the Provincial Council?
A. I have ſeen ſeveral Minutes of Mr. Francis on that Subject; but I do not immediately know the one alluded to.

Q. I will recal it to your Recollection by theſe Words: "I am of Opinion, that the Inſtitution was fundamentally wrong?"
A. No; I do not remember any ſuch Thing.

Q. Do you remember any Minute containing Diſapprobation of the Syſtem of the Provincial Councils communicated to you by Mr. Francis?
A. No; I do not remember any Communication of that Kind.

Q. There was none ſuch?
A. I do not recollect it.

Q. Nor of the Communication of any Minutes by Mr. Francis condemning the Inſtitution of the Provincial Council?
A. No; I do not remember any.

Q. (*by Managers.*) Whether you was at Dinagepore between Auguſt 1779 and the Middle of the Year 1780, at any Time?
A. I was not in the Province of Dinagepore, but reſident in the neighbouring Province.

Q. Had you not an official Communication with that Province? Had you the Charge of Dinagepore?
A. Certainly we had.

Q. Whether, during that Time, you had heard any Thing of a Payment of a Sum of Money for the Province of Dinagepore, by Gunga Govind Sing, to Mr. Haſtings?
A. I never heard of ſuch a Circumſtance, nor ever had a Suſpicion of it.

Q. Whether or no you know that Gunga Govind Sing had, at that Period of Time, any Thing whatever to do with the Province of Dinagepore?
A. No, I did not know that he had.

Q. Did you hear of it?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether you did, or did not, hear of it?

The Counſel for the Defendant objected to the Queſtion.

Q. I want to know it as a Fact whether you did or did not hear it?

The Counſel for the Defendant objected to the Queſtion.

The Witneſs was directed to withdraw.

The Managers for the Commons ſtated, they would next read a Paragraph of a Minute of Mr. Haſtings of the 21ſt of February 1785, in order to prove the Charge of the Revenues.

The Counſel for the Defendant deſired to know, whether the Managers for the Commons did not mean to read the Paper alluded to, as introductory to the whole Hiſtory of the Enormities committed by Deby Sing.

The Managers for the Commons ſtated, they did not mean to produce it for the Purpoſe ſuggeſted by the Counſel for the Defendant, but in order to ſhew that it was the Opinion of Mr. Haſtings himſelf, that great Enormities might be committed under the new Committee of Revenue, and that they might be concealed from any one Perſon under the Britiſh Government.

Read,

Read, from Book 228, already delivered in; the following Extract of a Conſultation of the 21ſt of January 1785, beginning at Page 157 of the ſame Book.

" Fort William, the 21ſt January 1785.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident; Rev. Dept. Friday.
John Macpherſon, and John Stables, } Eſquires.

" Gov. Gen.—I entirely acquit Mr. Goodlad of all the Charges; he has diſproved them. It was the Duty of the Accuſer to prove them. Whatever Crimes may be eſtabliſhed againſt Rajah Davy Sing, it does not follow that Mr. Goodlad was reſponſible for them; and I ſo well know the Character and Abilities of Rajah Davy Sing, that I can eaſily conceive that it was in his Power both to commit the Enormities which are laid to his Charge, and to conceal the Grounds of them from Mr. Goodlad, who had no Authority but that * receiving the Accounts and Rents of the Diſtrict from Rajah Davy Sing, and occaſionally to be the Channel of Communication between him and the Committee (*a*). Governor General's Minute on Mr. Goodlad's Defence. * Sic in Orig.

Signed at the End of the Conſultation,
" Warren Haſtings,
John Macpherſon,
John Stables."

The Managers for the Commons ſtated, they would next proceed to ſhew what thoſe Enormities were which might be concealed from the Engliſh Gentlemen reſiding there, and which might be committed without their knowing any Thing of the Matter.

The Counſel for the Defendant objected to the Admiſſion of the Evidence propoſed.

The Managers were heard in Anſwer to the Objection.

Then the Houſe adjourned to the Chamber of Parliament.

The Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, Managers for the Commons, and Gentlemen, of Counſel for the Defendant, the Lords have reſolved, That it is not competent for the Managers for the Commons to give Evidence of the Enormities actually committed by Deby Sing, the ſame not being charged in the Impeachment.——Gentlemen, Managers for the Commons, you may proceed to make good your Charge."

To prove that the Sum of 58,000 Rupees was not, as ſtated and ſuppoſed by Mr. Larkins, to be Part of a Dinagepore Peſhcuſh,

Read, from Book 250, already delivered in, the following Extract of a Committee of Revenue, of the 28th April 1784, beginning at Page 789 of the ſame Book.

" Calcutta, the 28th April 1781.

At a Committee of Revenue; Preſent,
Mr. David Anderſon, Preſident;
Meſſrs { Samuel Charters, Charles Croftes.

" The Preparer of Reports to the Revenue Departments ſubmits to the Committee the accompanying Tranſlation of the Zemindar of Dinagepore's Claims for the Remiſſions, in Conformity to their Order of the 15th of this Month, including alſo an Account of his Payments for the Current Year; in Addition to which, his Vakeel has delivered in a Paut for 50,000 Rupees of the Balance ſtill remaining to be realized, which reduces the Demand on him for the preſent Year to 60,048 : 2 : 18.

" As to his firſt Claim for a Remiſſions *, or rather for Leave to have the Payment of the Canongoes Reſſom, (which has lately been diſcharged through the Provincial Council), he ſtates it at 8,015 : 7 : 10 per Annum, whereas it amounts only to 7,076 : 1 : 17, from which 3,765 Rupees having been already diſcharged at Purnea, there remains to be paid for the preſent Year the other Half, or Reſidue, of 3,576 : 1 : 17 (*b*). * Sic in Orig.

(*a*) Vide Appendix, N° CLX. (*b*) Vide Appendix, N° CLXI.

Read, a further Extract of the ſame Committee of Revenue, beginning at Page 794 of the ſame Book, as follows:

" Statement concerning the Revenue of the Pergunnah of Dinagepore for the Bengal Year 1187.

" 1ſt. Jumma Mokurerry, as ſettled with Rajah Byjenaut, and continued to me Radahnaut —		14,60,444 12 12 2	
" Deduct the Amount Moſhahera, &c.			
Viz. Moſhahera —	1,50,000 0 0 0		
Eſtabliſhment for Officers	26,320 11 0 0		
		1,76,320 11 0 0	
			12,84,124 1 12 2
" 2d. Receipts by Government to the End of the Kiſts of May, viz.			
" Paid at Purnea to the End of Aſhen —		6,51,976 0 0 0	
at the Khalſa, from that to the End of May, viz.			
" Amount of Chelans	5,30,783 4 0 0		
Deduct for Paiſhcuſh	11,684 0 0 0		
		5,19,099 4 0 0	
			11,71,075 4 0 0
			1,13,048 13 12 2(a)

The Managers for the Commons ſaid, they would next call Mr. Thomas Nicholas Whitworth.

Mr. WHITWORTH was accordingly called in, and being ſworn, was examined as follows:

Q. Have you any Account of the Sums of Money paid to Mr. Haſtings on Account of his Salary in the Years 1783 and 1784?
A. Yes.

Q. Where is that Account?
A. In theſe Books.

Q. Have you made any Extracts from thoſe Accounts, of the Sums of Money paid to Mr. Haſtings?
A. I have.

Q. What are the Books?
A. The Civil Paymaſter's Diſburſements in Bengal.

Then the Witneſs delivered in the Books, and was directed to withdraw.

Read, the following Extract from one of the ſame Books, intituled, " Bengal Civil Paymaſter's Diſburſements, 30th April 1783, to 30th April 1784."

" Fort William, Auguſt 1783.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of Auguſt 1783.

" Account Salary.

" Paid the Honourable Warren Haſtings Eſquire, Governor General, his Salary for January 1783 — — — — — — 23,604 : 2 : 8.

Read, a further Extract from the ſame Book, as follows:

" Fort William, September 1783.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of September 1783.

" Account Salary.

" Paid the Honourable Warren Haſtings Eſquire, Governor General, his Salary for February and March 1783, at 23,604 : 2 : 8 per Month, by Transfer — 47,208 : 5 : 4

(a) Vide Appendix, N° CLXI.

Read,

Read, a further Extract from the ſame Book, as follows:

" Fort William, October 1783.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of October 1783.

" Account Salary.

" Paid the Honourable Warren Haſtings Eſquire, Governor General, his Salary for April and May 1783, at 23,604 : 2 : 8 per Month, by Transfer — — 47,208 : 5 : 4.

Read, a further Extract from the ſame Book, as follows:

" Fort William, November 1783.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of November 1783.

" Account Salary.

" Paid the Honourable Warren Haſtings Eſquire, Governor General, his Salary for June 1783, by Transfer — — — — — 23,604 : 2 : 8.

Read, a further Extract from the ſame Book, as follows:

" Fort William, December 1783.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of December 1783.

" Account Salary.

" Paid the Honourable Warren Haſtings Eſquire, Governor General, his Salary for July and Auguſt, at 23,604 : 2 : 8 per Month, by Transfer — — 47,208 : 5 : 4.

Read, a further Extract from the ſame Book, as follows:

" Fort William, April 1784.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of April 1784.

" Account Salary.

" Paid by Transfer the Honourable Warren Haſtings Eſquire, Governor General, his Salary from the 1ſt September 1783, to the 30th April 1784, being 8 Months, at 23,604 2 : 8 per Month — — — — — 1,88,833 : 5 : 4.

Read, the following Extract from the other Book, delivered in by the Witneſs, intituled, " Bengal Civil Paymaſter's Diſburſements from 1ſt May 1784, to 30th April 1785."

" Fort William, July 1784.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of July 1784.

" Account Salary to the Honourable Governor General and Council of 1784-5.

" Paid the Honourable Warren Haſtings Eſquire, Governor General, his Salary from 1ſt May to 31ſt July 1784, at 23,604 : 2 : 8 per Month — — 70,812 : 8 : 0.

Read, a further Extract from the laſt mentioned Book, as follows:

" Fort William, November 1784.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of November 1784.

" Account Salary to the Honourable Governor General and Council of 1784-5.

" Paid the Honourable Warren Haſtings Eſquire, Governor General, his Salary for Auguſt 1784 — — — — — 23,604 : 2 : 8.

Read, a further Extract from the laſt mentioned Book, as follows:

" Fort William, December 1784.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of December 1784.

" Account Salary to the Honourable Governor General and Council of 1784-5.

" Paid the Honourable Warren Haſtings Eſquire, Governor General, his Salary from 1ſt September 1784, to 31ſt Dec. 1784, is 4 Months, at 23,604 : 2 : 8 per Month - 94,416 : 10 : 8

Read, a further Extract from the laſt mentioned Book, as follows:

" Fort William, January 1785.

" Diſburſements of Mr. William Harding, Civil Paymaſter, for the Month of January 1785.

" Account Salary to the Honourable Governor General and Council of 1784-5.

" Paid the Honourable Warren Haſtings Eſquire, Governor General, his Salary for January 1785 — — — — — 23,604 : 2 : 8."

Then the Houſe adjourned to the Chamber of Parliament.

Die Jovis, 20° *Maii* 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons deſired Mr. Wright might be called in.

Mr. WRIGHT was accordingly again called in, and examined as follows:

Q. Does that Book contain any Account of Remittances made on Account of Mr. Haſtings, in the Years 1783 and 1784?

A. It does. This is the Bengal General Journal of the Years 1783 and 1784.——In Page 352, there is this Entry: "Treaſury Debtor to ſundry Accounts April 1784. To Loan, at 8 per Cent. for Bills to be granted 1ſt of February 1785. Received of the following Perſons, for which Bills of Exchange are to be granted them on the Honourable the Court of Directors, bearing Date 1ſt February 1785." The Account is continued to ſeveral Pages; and in Page 357, to "The Honourable Warren Haſtings" the Sum of "2,02,000 Rupees."

(*Croſs examined.*)

Q. Does it appear what Money produced thoſe Bills, whether it was given in exchange for Money, or paid for Salary, or what the Conſideration was?

A. From the Entry I have juſt read, it ſhould appear to be Money paid into the Treaſury; the Entry is under Treaſury Account April 1784, "received of the following Perſons, for which Bills of Exchange are to be granted."

Q. Might not that be a Transfer on Account, inſtead of Bills or Caſh?

A. It does not appear ſo on the Books.

Q. Can you find the correſponding Account; there are Debtor and Creditor Accounts; is the Company credited for the Money?

A. The Company is debited for this Money in the Way I have juſt ſtated, and the Entry I read is to "The Honourable Warren Haſtings" the Sum of "2,02,000 Rupees." It ſays "received."

Q. Does it appear from that Book that it was a Payment of Money received from Mr. Haſtings?

A. It ſhould appear ſo by the Entry I have juſt read.

Q. Is there any other Account to which that refers; any Account with Mr. Haſtings, kept by the Treaſury, in which Credit is given for the Sums he pays?

A. There is an Account in the Books for thoſe Years.

Q. (*by a Lord.*) What is the Title of the Account?

A. General Journal Accounts Bengal, under the Head of Treaſury Accounts Bengal.

Q. By whom is it kept?

A. By the Sub-Treaſurer in Bengal.

Q. Are they the Treaſurer's Books?

A. The Treaſurer's Books.

The Witneſs was directed to withdraw.

The Managers for the Commons informed the Houſe, they ſhould next read a Letter, dated the 13th of April 1781, for the Purpoſe of falſifying the Contents of a Letter from the Governor General and Council to the Court of Directors, dated the

5th of May 1781, and already in Evidence (*a*), as far as the ſame contained Mr. Haſtings's Account of the Abolition of the Provincial Councils, and the Appointment of the Committee of Revenue.

The Counſel for the Defendant objected to the reading of the Letter of the 13th April 1781, for the Purpoſe above mentioned.

The Managers for the Commons were heard in Anſwer to the ſaid Objection, and the Counſel for the Defendant in Reply.

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide ſupra, Page 1183.

Die Mercurii, 2° Junii 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid,

" Gentlemen, Managers for the Commons, and Gentlemen of Counſel for the " Defendant, the Lords have reſolved, That it is not competent for the Managers " on the Part of the Commons to give any Evidence upon the Seventh Article of Im- " peachment, to prove that the Letter of the 5th of May 1781 is falſe, in any other " Particular, than that wherein it is expreſsly charged to be falſe."

The Managers for the Commons deſired Mr. Hudſon might be called in.

Mr. HUDSON was accordingly again called in.

The Managers for the Commons ſtated, that in the Printed Minutes there was a Letter of Mr. Larkins, which contained an Account of a Variety of Sums of Money ſaid to be received by Mr. Haſtings, with the Bengal Dates affixed; as thoſe Dates, and the Calculation of the Bengal Year, might not be perfectly familiar to the Houſe, they had endeavoured to procure a Tranſlation of them, which they would now produce.

Then the Witneſs was aſked,

Q. What is that you have in your Hand?
A. Part of a Letter from Mr. Larkins.

Q. Have you tranſlated the Bengal Dates into Engliſh Dates?
A. As near as I could from my Knowledge.

Q. From whence did you take them?
A. From ſome Books called the Provincial Accounts.

Then the Witneſs delivered in a Paper—the ſame was read, and is as follows:

" COPY of N° 1, referred to by Larkins's Letter, 5th Auguſt 1786, entered in printed Minutes 1156, 1157, with Engliſh Dates.

" Copy of the Particulars of the Dates on which the component Parts of ſundry Sums included in the " Account of Sums received on the Account of the Honourable Company by the Governor General, or paid to their Treaſury by his Order, and applied to their Service," were received for Mr. Haſtings, and paid to the Sub-treaſurer.

" N° 1, DINAGEPORE.

From				
29 to 31 Sawan 1186,	or 11th to 13th Aug. 1779	—	89,999 0 0	
17 to 21 Bhaudun	30th Aug. to 3d Sept. 1779		49,974 0 0	
1 to 5 Aſſin	15th Sept. to 19th Sept. 1779		27,000 0 0	
8 Pooſe	20th Dec. 1779	—	25,000 0 0	
10 ——	22d ib. ib.	— —	15,000 0 0	
27 ——	8th Jan. 1780	—	10,000 0 0	
29 Maug	9th Feb. 1780	— —	20,000 0 0	
2 Faugun	11th Feb. 1780	—	20,000 0 0	
4 ——	13th ib. ib.	— —	9,000 0 0	
12 Sawan 1187,	or 21ſt Feb. 1780	—	1,000 2 0	
9 Sawan	21 July 1780	— —	40,000 0 0	
				3,06,973 0 0
18 and 19 Aſſin,	or 3d and 4th Oct. 1780,			2,00,000 0 0
		Remains —		1,06,973 0 0
		Charges —		9,310 0 0
		Balance in Charge of G. G. S. —		97,663 0 0

" Suppoſing the Dates underneath are of the Bahar Year 1188, or 1780-1781.

" P A T N A.

12 Cheite,	or 21ſt March 1781	—	—	15,000 o o		
1 ——	27th ib. ib.	—	—	10,000 o o		
22 ——	31ſt ib. ib.	—	—	60,000 o o		
23 ——	1ſt April 1781	—	—	5,000 o o		
23 ——	ib. ib. ib.	—	—	10,001 o o		
28 ——	6th ib. ib.	—	—	60,000 o o		
10 Byſack	20th ib. ib.	—	—	10,000 o o		
10 ——	ib. ib. ib	—	—	26,000 o o		
12 to 14 ——	22d to 25th ib.	—	—	20,000 o o		
14 ——	25th ib. ib.	—	—	4,000 o o		
2 Aſſin	14th Sept. 1781	—	—	1,000 o o		
					2,21,801 o o	
15 and 16 Byſack 1189, or 26th and 27th April 1781, paid Mr. Croftes					2,00,000 o o	
					Balance —	21,801 o o

" N. B. The Bengal Year begins on or about the 10th April, and the Bahar Year on or about the 14th September.

" N U D D E A.

15 Cawtic 1187,	or 28th Oct. 1780	—		16,001 o o		
27 ——	9th Nov. ib.	—		20,000 o o		
28 ——	10th ib. ib.	—	—	20,000 o o		
30 ——	12th ib. ib.	—		10,000 o o		
4 Augun	17th ib. ib.	—	—	7,749 o o		
7 ——	20th ib. ib.	—		5,000 o o		5,000 too much.
9 ——	22d ib. ib.	—	—	25,000 o o		
No Date	— —	—		1,250 o o		
24 Augun	7th Dec. ib.	—		15,000 o o		
17 Pooſe	30th ib. 1780	—		15,000 o o		
22 ——	4th Jan. 1781	—		20,000 o o		
					1,50,000 o o	
11 Augun,	or 24th Nov. paid to Mr. Croftes			—	1,50,000 o o	

Paid to Mr. Croftes

19 Aſſin,	or 4th Oct.	—	2,00,000
16 Byſack	— 25th April	—	2,00,000
11 Augun	— 24th Nov.	—	1,50,000
			5,50,000

Memorandum of the Caboolliats attended to in the above.

	Caboolliats.	Received.	Balance.
Dinagepore Peiſhcuſh — —	4,00,000 o o	3,00,000 o o	1,00,000 o o
Nuddea — — —	1,50,000 o o	1,50,000 o o	
Patna — — —	4,00,000 o o	2,00,000 o o	2,00,000 o o

(Signed) " Wm Larkins.
5th Auguſt 1786."

Then the following Queſtion was put to the Witneſs.

Q. Whether any Duplicate of the Letter of the 20th of January 1782, from Patna, from Mr. Haſtings, ever came to the India Houſe?

A. On Recollection, I believe there was not. I once thought there was, but, upon Enquiry, I rather think there was not.

Q. There was a Letter written by Mr. Haſtings, from Patna, containing a Diſcovery of a Preſent, 20th January 1782. In a ſubſequent Letter Mr. Haſtings ſays, " In a Letter which I had the Honour of addreſſing to you in a Duplicate, and of which, in a Triplicate, I informed you ſo and ſo—I wiſh to know, whether that Duplicate ever arrived at the India Houſe?

A. I have made Enquiry, and I do not find ſuch a one ever arrived.

(Croſs

(*Croſs examined.*)

Q. How many Copies of that Letter from Mr. Haſtings came to the India Houſe; and whether that Letter you deſcribed is a Triplicate only?

A. I never ſaw but one Copy of it, which I take to be the original Letter; endorſed upon the Back of it, "Received from Major Scott."—I never ſaw any other.

Q. Have you made due Search among the Records of the Company to find ſuch a Letter?

A. I have made Search for that very Object, but do not find any ſuch Letter exiſts—it may be among the Papers of the Secret Committee of the Court of Directors, to which I have not Acceſs.

Q. You have not, therefore, ſearched among them?

A. I have not Acceſs to them.

Q. Who has Acceſs to them?

A. Mr. Johnſon.

Q. Ought it not to be regularly in your Office?

A. No; not exactly ſo.

Q. Then it is not in the India Houſe at any other Place, unleſs in the Papers of the Secret Committee, as far as you know?

A. It may be; but not that I know of.

Q. (*by Counſel.*) You ſay it is not in your Office, and that your Office is not the proper Place to find it, if it exiſts?

A. Our Office is the Place for the Books; the Head of the Office is Clerk of the Secret Committee.

Q. Is there any Name for the Place where the Letters are depoſited?

A. I am a Clerk in that Office.

Q. (*by a Lord.*) You ſay it is not there?

A. It is not a publick Paper.

Q. Not in its Nature?

A. In its Nature it is; but the Duplicate happened not to be laid out.

Q. Not to be laid out—how?

A. It appears not to be laid out from the ſecret Papers.

Q. You ſuppoſe, if it is in Exiſtence, it is among the ſecret Papers?

A. I ſuppoſe ſo.

Q. But you mentioned juſt now it might be in ſome other Department?

A. It may be ſome where elſe.

Q. (*by Managers.*) In what Office was it the firſt Copy was found?

A. It was originally ſent to our Office.

Q. And preſerved there ever ſince?

A. Yes, afterwards; but it was miſlaid for ſome Time.

Q. Do you know, from your Practice in that Office, whether, when an Original is preſerved in the Office, the Duplicate and Triplicate, if they arrive, are all preſerved with the ſame Care as the Original?

A. Not always exactly with the ſame Care—in general they are.

Q. Do you mean the Care, in which both Original, Duplicates, and Triplicates are preſerved, is ſuch, that if you do not find them all Three, they never have been ſent?

A. No; not altogether ſo.

Q. With what Care is the Duplicate and Triplicate preſerved—are they preſerved in the ſame Office?

A. They are tied up with the other Papers—the firſt received is bound up in a Book.

Q. The others are preſerved in looſe Papers or Bundles?

A. Yes; in Bundles of Papers.

Q. Whether the firſt of theſe Papers that arrived was in the Office in ſuch a Manner as you had Acceſs to it—was the original Letter preſerved in your Office?

A. Yes.

Q. Had it ever been in the Department of Secrecy?

A. Yes.

Q. And had been returned to your Office?

A. Yes.

Q. If

Q. If the Original goes to the Department of Secrecy, do the Duplicate and Triplicate go to that Department?

A. They come there of Courſe; they are addreſſed there; and therefore, I think it likely, that the Duplicate and Triplicate may be in that Department ſtill.

Q. (*by a Lord.*) Was the Original at any Time miſlaid—and when?

A. Yes; it was for ſome Time.

Q. For how long—and when?

A. I dare ſay, for Twelve Months at leaſt.

Q. Where was it found afterwards?

A. It was found in the Poſſeſſion of the Deputy Secretary—I found it there.

Q. (*by a Lord.*) You ſaid the original Letter firſt received was bound up in a Book—whether you mean always by Original, the firſt of the Copies that is received?

A. I mean the firſt Copy received, whether a Duplicate or Triplicate.

Q. (*by a Lord.*) How did that Letter which was firſt received come not to be bound up as uſual?

A. It was at a Time I was not in the Department, therefore I cannot tell; but I cauſed it to be bound up when I found it.

The Managers for the Commons ſtated, they would next ſhew, that the Offices of Dewan and Farmer never were united in the ſame Perſons, except in the Two Provinces where Mr. Haſtings received Money.

Read, from Book 272, the following Extract of a Conſultation of the 2d November 1784, beginning at Page 290 of the ſame Book.

" Fort William, the 2d November 1784.

" At a Council; Preſent,
John Macpherſon Eſquire.
The Governor General abſent on a Viſit to the Vizier.
Mr. Stables abſent.

" Extract of a Letter from John Shore Eſquire, Preſident, &c. of the Committee of Revenue.

" Before we proceed to this Taſk, we ſhall firſt reply to the Requiſitions in your Letter.

" Rajah Deby Sing was Farmer, Security, and Dewan of Rungpore. The Union of the Two former Offices in the ſame Perſon requires no Explanation, ſince the Practice is very general, and is founded upon ſolid and obvious Reaſons; the Inveſtiture in the Office of Dewan, during the Period in which he held the Farm, is leſs common, but not without a Precedent, for Rajah Cullyan Sing ſtood preciſely in the ſame Predicament, with regard to the Province of Beyhar. The Appointment in Queſtion was alſo notified to your Honourable Board." (*a*)

(Signed at the End) " John Macpherſon."

Then Mr. WILLIAM THOMPSON was called in, and being ſworn, was examined as follows:

Q. What is that you have got in your Hand?

A. A Notice to produce a Letter containing the original Cabooleats.

Q. Did you ſerve that Notice upon Mr. Haſtings' Attorney?

A. I did.

Q. Produce it.

The Witneſs produced a Paper, and the ſame being delivered in, was read, as follows:

" Houſe of Lords.

" You are hereby required to produce forthwith, at the Trial of the Impeachment now proſecuting againſt Warren Haſtings Eſquire, the original Cabooliats, mentioned in the Paper or Account, marked No. 1, accompanying, and referred to by William Larkins Eſquire, Accountant General in Bengal, in his Letter to William Devaynes Eſquire, Chairman of the Eaſt India Company,

(*a*) Vide Appendix, N° CLXII.

bearing

bearing Date the 5th Day of Auguſt 1786; and alſo the original Teeps, Obligations, or Securities ſeverally given in reſpect of the ſaid Cabooliats. Dated this 20th Day of February 1790.

We are, &c.

" To Richard Shaw Eſquire,
Solicitor for the ſaid Warren Haſtings.

Wallis and Troward,
Solicitors for the Managers conducting the Impeachment."

Q. Do you produce that Teep?

The Counſel for the Defendant ſtated, That Mr. Haſtings certainly had no ſuch Papers, or he would have produced them.

The Managers for the Commons deſired Mr. Hudſon might be called in again.

Accordingly Mr. HUDSON was again called in, and examined as follows:

Q. Have you ſearched the Books at the India Houſe for any Teep, Security, or Obligation, granted by Kelleram or Cullian Sing to Mr. Haſtings?

A. I have got a Collection of Papers concerning Kelleram's Farm, and I find no ſuch Paper among the Proceedings.

Q. Have you ſearched for it?

A. Not expreſsly; but if there had been ſuch, I ſuppoſe I ſhould have found it; and I ſhould have included it in the Collection.

Q. (*Croſs examined.*) Whether you know any Inſtance of any original Cabooleat or Teep whatever tranſmitted from India to the India Houſe?

A. Certainly not: I underſtood this was an Agreement between Cullian Sing and Mr. Haſtings, of Courſe it would not appear.

Q. But in other Caſes of Teeps or Cabooleats, are the Originals ever tranſmitted to the India Houſe?

A. Certainly not.

Q. Are there any Copies of them tranſmitted to the India Houſe?

A. If this is a Note of Hand, which I ſuppoſe it to be, there certainly is not.

Q. (*by a Lord*) Are Copies of Cabooleats tranſmitted to the India Houſe?

A. When a Farm is let, the Cabooleats are generally, almoſt univerſally, upon the Conſultations. I do not underſtand the Difference between a Cabooleat for a Farm, and that ſpoken of.—A Teep I underſtand to be a Note of Hand.

Q. (*by Counſel.*) Are there any Inſtances, from the Beginning of Time to this Hour, of any Teeps being tranſmitted to the India Houſe?

A. No; never that I heard of.

The Managers for the Commons ſtated, They would next proceed to ſhew that it was the Opinion of the Court of Directors, that even when ſmall Preſents were made and carried to the Account of the Company, it was a Thing that ought not to be done.

Read, from Book 216, the following Extract of a Conſultation of the 7th November 1774, beginning at Page 134 of the ſame Book.

" Fort William, the 7th November 1774.

Sec. Dep. Monday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
Richard Barwell, } Eſquires.
Philip Francis, }
Colonel Monſon indiſpoſed.

The Preſident offers his Nuzzers to be carried to the Company's Credit.

" The Governor lays before the Board Two Bags, one containing One hundred forty-ſix Gold Mohrs, the other containing Three hundred twenty-ſeven Rupees of different Sorts, which were preſented to him in Nizzers by different Perſons, from the 1ſt Auguſt to the 31ſt of October. He has not thought it proper to diſcontinue the Cuſtom, but has accepted the Preſents on the Behalf of the Company, meaning to deliver for their Uſe, at the End of each Month, the Sums ſo received by him in the Courſe of it, which, in his Opinion, will be preferable to an abrupt Rejection of ſuch Offers, which are intended, by immemorial Uſage, as Pledges of Reſpect and Submiſſion, and accepted as an implied Aſſurance of Protection.

" He ſubmits his Intention in this Reſpect to the Judgement of the Council, and will readily correct it, if they ſhall deem the Subject of ſo much Importance, as to preſcribe a general Rule of Conduct more conformable to the Deſign and Letter of the late Act of Parliament.

" Ordered,

Received into the Cash.

" Ordered, That the Money be sent to the Cash, and carried in Account to the Company's Credit under the Head of Nuzzers; and that whatever Sums may be hereafter tendered by the Governor be received and credited in the same Manner.

The General's Opinion on this.

" The General conceiving it to be the Intention of the Legislature, that the Governor General and Members of the Council should receive no Presents, either from the Indian Powers, or any Persons whatever, he has strictly complied since his Arrival here, both with the Spirit of the Letter of the Act of Parliament, and has accordingly returned all the Presents which have been made to him.

Mr. Francis.

" Mr. Francis delivers his Opinion on this Subject in the following Words.

" I have not yet received, nor do I intend to accept of any Nazir or Present whatsoever. The Prohibition in the Act of Parliament appears to me so strict, that I think no Choice is left my own Discretion. This however is a Point on which every Gentleman will judge for himself, and I do not mean to impute the least Impropriety to any Opinion that may differ from mine on this Subject.

(Signed) " P. Francis."

Mr. Barwell's Minute on receiving Presents.

" Mr. Barwell delivers a Minute in consequence of the Discussion of this Matter, as follows:

" I entirely approve of the Honourable the President's Conduct in the Receipt of complimentary Nuzzirs. The Prejudices of the Natives of Hindostan, bigotted to their ancient Customs, make it absolutely impossible to avoid deviating, in this Particular, from the Words of the Act of Parliament. The Spirit of the Act is not, however, by this seeming Deviation, departed from, but regarded with an Attention which shews the most scrupulous Respect to the Restrictions of the Legislature. Nuzzers are not made to the Man, but to the Station he fills, and are very different in their Nature from gratuitous Rewards, or the Gifts denominated Presents. I therefore cannot but equally honour the Principle, while I admit the Justness of the Motive, on which official Nuzzers or Compliments are accepted by the Governor General. I see their Acceptance in a Light of the greatest Propriety, perfectly consistent with the Ideas of the Company, and regardful of what they have invariably recommended—Attention to the particular Prejudices, Manners, and Dispositions of the Natives.

" The Governor General has thought proper to submit the Nuzzirs made to his Station to the Court of Directors, to be appropriated agreeably to their Pleasure: Small as the Object is to the Company, and to the Nation, it gives Dignity to his Character, as Guardian of the public Interests, and obviates all this Misinterpretation of the Principle of the Motive which has induced him to a Compliance with the rooted Prejudices and Manners of the Asiatics. My Experience, from long Residence in this Country, convinces me of the real Necessity there is of respecting Usages in immaterial Points, and which disregarded, would be followed by Impressions resulting from a Conduct repugnant to Asiatic Notions of Propriety and Deference.

" I might here make a Tender to the Publick of the trivial Nuzzers, to the Acceptance of which my Station has impelled me; but what is proper for the Governor General would, in me, I apprehend, appear rather, in the Light of a consequential insignificant Display of Riggidness* in the Excess. The Amount of my complimentary Nuzzirs of a Gold Mohur and Five Rupees from the Period of my Arrival at the Presidency, exceeds not the Sum of 250 R^{s}, exclusive of a Compliment from the Nabob of Arcot of a few Pieces of Cloth, the Produce of his Country, and Two Shawls, a Compliment more than returned by myself in the Manufactures of Bengal, to the Amount of S^{a} R^{s} 3,000*, three thousand Sicca Rupees.

* Sic in Orig.

* Sic in Orig.

(Signed) " Richd Barwell.

And at the End of the Consultation,

" Warren Hastings,
J. Clavering,
Richd Barwell,
P. Francis."

To shew that the Company approved of the Determination of the Majority of the Board last read in Evidence,

Read the following Extract from the printed Minutes of Evidence, beginning at Page 971 of the same.

" Extract of a separate General Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated the 15th December 1775.

43. " As the Custom of receiving complimentary Nazirs, or Presents, is not only liable to Abuse, but also contrary to the late Act of Parliament for regulating Indian Affairs, we much approve the Determination of the Majority to refuse all such Presents; and direct that strict Obe-

dience

dience be paid to the ſaid Act, not only by all the Members of our Council, but by every Perſon in our Service, and by all Britiſh Subjects reſiding in India under our Protection.

Signed (at the End of the Letter)

" Ch^{s} Boddam,
Pet. Laſcelles,
Thos Rumbold,
J. Stables,
Edwd Wheler,
Jn. Woodhouſe,
W. Devaynes,
John Harriſon,
John Roberts,
Wm James,
G. Wombell,
Robt Gregory,
John Michie,
Fred^{k} Pigou."

To ſhew that the Defendant preſented to the Company the Sum of 20,000l. received from Cheit Sing, as his own Money;

Read, from Book 26, the following Extract of a Conſultation of the 26th June 1780, beginning at Page 560 of the ſame Book.

" Fort William, 26th June 1780.

At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis,
Edward Wheler, } Eſquires.

Lieutenant General Sir Eyre Coote abſent on a Viſit to the different Stations of the Army.

" Extract from Governor General's Minute.

" I now revert to my Propoſition, and requeſt the Board to reconſider their Objections to the Inſtructions which I have propoſed to be given to Major Carnac. I have not the Preſumption to expect that they will be influenced by any Reaſonings which I have uſed, having had too much Experience of the Inſufficiency of Official Argument to overcome a decided, and much leſs a confederate Oppoſition; but as the Expence which will attend the Meaſure which I have recommended, is the only formal Objection made to it, I hope I may be allowed to remove it by offering to exonerate the Company from it, and to take it upon myſelf. That this Propoſition may not be miſunderſtood, and that I may not bind myſelf by Engagements, which may exceed my Power to fulfil them, I will explain myſelf:

" The regular Pay and Batta of the Troops which are to form Major Carnac's Detachment, conſtitute no Part of the Expence of it, ſince theſe would be the ſame in their Amount, although the Battalions remained in their original Quarters. Neither ought the Suſpenſion of the Subſidy to be charged to the Expedition, ſince it is probable, and I regard it as certain, that the Ranah, having no further Call for our Aid within his Country for the ſole Defence of it, will be glad to be relieved from the Expence attending it, and becauſe it is propoſed, in the laſt of the Minutes of Meſſrs. Francis and Wheler, to withdraw it. The Contingencies of the Detachment are, therefore, the only Expence that can be reaſonably charged to the Expedition. Theſe I rate far below Two Lacks of Rupees. That Sum I offer to contribute to this Diſburſement: I have already depoſited it, within a ſmall Amount, in the Hands of the Sub-Treaſurer; and I beg that the Board will permit it to be accepted for that Service. (*a*)

(Signed) " Warren Haſtings.

" Ordered, That the foregoing Minute lie for Conſideration.

(Signed at the End of the Conſultation)

" Warren Haſtings,
P. Francis,
Edwd Wheler."

The Managers for the Commons ſtated, they would next deliver in a Paper containing a Reference to ſuch Parts of the printed Evidence, as the Managers relied on, to prove the Receipt of Preſents from Saddanund, the Vackeel of Cheit Sing, and from the Nabob Vizier.

The ſame was delivered in, and is as follows:

(*a*) Vide Appendix, N° CLXIII.

" A Reference

" A Reference to ſuch Parts of the Evidence, as the Managers rely on, to prove the Receipt of Preſents from Saddanund, the Vackeel of Cheit Sing, and from the Nabob Vizier.

SADANUND,—Two Lacks.

To ſhew the Receipt of the Two Lacks charged to be received from Sadanund.

Printed Minutes, Benares 1788.
96 Haſtings's Defence.

Printed Minutes, 1790.
1103 Haſtings to the Directors. 1780, November 29.
1114 Same to ſame. 1782, May 22.
1115 Account referred to in the laſt.
Ibid. Affidavit of Larkins annexed.
1151 Haſtings to the Chairman of the Directors, from Cheltenham. 1785, July 11.
1153 Larkins to the Chairman of the Directors,—Par. 11, 12, 13, 14. 1786, Auguſt 5.

Printed Minutes, 1788.
562, 563, 564, 565, 571, 572, 573, 574 } Major Scott's Examination.

VIZIER,—Ten Lacks.

To ſhew that Haſtings took the Bribe of £. 100,000 from the Vizier.

Printed Minutes, 1788.
544 Haſtings to the Directors. 1782, January 20.
545 Middleton's Examination.

Haſtings's own Account of that Tranſaction; his Acknowledgement of it to the Directors, when, as he ſtates, it could no longer be concealed; and his Application to the Company to have it allowed to himſelf.

553 Haſtings to the Directors.—Cheltenham. 1785, July 11.
555 Middleton to Haſtings. 1782, January 10.
556 Middleton I. B. to Larkins. 1781, Auguſt 22.
Ibid. Same to Roberts. ibid. ibid. 30.
Ibid. Haſtings to Wheler. ibid. October 13.
557 Same to the Directors. 1782, May 22.
558 Same to ſame. ibid. December 16.

An Account of the Produce of this Sum given to Haſtings by the Nabob.

Ibid. Account. 1782, May 22.
559 Larkins's Affidavit. ibid. December 16.
Ibid. Directors to the Council. 1783, January 15.
560 Larkins to the Directors. 1786, Auguſt 5.
Ibid. Account incloſed.
561, 562, 562, 563, 565, 566, 567, 568, 569, 570, 571 } Major Scott's Examination.

To trace the Preſent through Gopaul Doſs, to the Time the Begums were plundered; and to ſhew that Gopaul Doſs was particularly recommended by Haſtings to Middleton.

575 Haſtings to Middleton. 1781, December 22.
576 Middleton to Haſtings. 1782, January 15.
Ibid. Same to Same. 1782. February 21.
577 Middleton to Palmer. 1781, October 29.
Ibid. Same to Haſtings. 1782, October 23.

The Managers for the Commons ſtated, they would next proceed to give ſome Evidence in regard to a Matter in Charge in the 14th Article, connected with the Receipt of Preſents, in reſpect of an Offer of another Sum of 100,000*l.* from the Nabob Vizir.

Then Mr. HUDSON was called in again, and examined as follows:

Q. Have you ſearched the Proceedings of the Bengal Conſultations in the Month of February 1782?
A. I have.

Q. Does any Offer of a Preſent of 100,000*l.* from the Vizir to Mr. Haſtings, appear upon the Proceedings of that Month?
A. There does not.

Q. Do any Inſtructions from the Governor General to Mr. Palmer appear upon thoſe Proceedings?
A. They do not appear till the 21ſt of October 1783.

The Managers for the Commons ſtated, they would next produce the Inſtructions of Mr. Haſtings to Major Palmer.

Read, from Book 84, the following Extract of a Conſultation of the 21ſt of October 1783, beginning at Page 753, of the ſame Book.

☞ [" Fort William, 21ſt October 1783. Secret Dept. Tueſday.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
John Macpherſon, and John Stables, } Eſquires;
Mr. Wheler abſent up the Country.

" The Governor General delivers in the following Minute, accompanied by a Copy of his Inſtructions to Major Palmer. N° 71.

" Governor General.—The frequent Uſe which has been lately made of Major Palmer's Name in the Records of the late Tranſactions at Lucknow, the Aſſertion made by Mr. Johnſon in his Defence, that Major Palmer was at Lucknow in the Character of a Political Agent, and the private Suggeſtions which have been conveyed to me, of Miſconſtructions paſſed on the Nature and Object of Major Palmer's Deputation, compel me to lay before the Board the original Inſtructions which he received from me, and which, if I can truſt to my own Recollection, and the Rule of Conduct which I have invariably preſcribed to myſelf in Caſes of this Kind, were both ſeen and approved by the actual Members of the Board. I own that it is with Reluctance that I preſent them. They were not intended to be recorded, their primary Object being more to quiet the Mind of the Nabob, to whom I owed that Return of Attention for the honeſt Attachment which he ſhewed to me, when he thought me in Diſtreſs, and my Perſon in Danger, than for any other Purpoſe.] ☞ §(" This muſt account for the unapplied Heads of Memorandums " with which the Inſtructions conclude. I cannot at this Time, were it neceſſary, explain them; " but know that they were deſigned only to preſerve his Recollection of the looſe and un- " determined Ideas, which I had communicated to him in Converſation reſpecting them. Governor General's Minute.

" I deſire that this Minute, with Major Palmer's Inſtructions, may be added to the other Pa- " pers which have been recorded on the general Subject of the Complaints preferred againſt " Mr. Briſtow, and tranſmitted with them by this Diſpatch to the Court of Directors.") (*a*) §

(Signed) " W. Haſtings.

And at the End of the Conſultation,
" Warren Haſtings.
John Stables."

Q. (*Croſs examined by the Counſel.*) Whether, from your Inſpection of the Proceedings of the Eaſt India Company, it is not very frequent for Papers to be handed about from One Member to another?
A. It is uſual to ſend Papers in Circulation.

Q. And they are frequently entered at a ſubſequent Period?
A. Not at ſo long a Period as this, I believe.

(*a*) Vide Appendix, N° CLXIV.

Q. Whether you do not know that many Letters, ſuppoſed to contain Matter of Secrecy, have been purpoſely poſtponed?

A. There certainly are.

Q. The Inſtructions to Mr. Elliot, for Inſtance?

A. They were withheld for ſome Time; I cannot ſay for how long: Mr. Briſtow's were withheld.

Q. (*by Managers.*) Does it appear that this Offer of a Preſent to Mr. Haſtings was ever circulated?

A. It does not appear it was ever circulated.

Read, further Extract from the ſame Conſultation, beginning at Page 767 of the ſame Book.

No 73. Mr. Macpherſon's Minute.

" Mr. Macpherſon.—Though I do not remember to have ſeen Major Palmer's Inſtructions in their preſent arranged State, I remember perfectly to have ſeen detached Minutes or Memorandums of his Commiſſion to Owde in April or May 1782.

" I approved of his being ſent thither, and that Major Davy ſhould accompany him.

" The Objects of their Miſſion were, as I recollect them, to inform this Government of the real State of the Vizier's Country, on Information, which was at the Time withheld by our official Agents, to aſcertain the Cauſes of the Vizier's ſeeming Diſſatisfaction; and to endeavour to induce him to transfer Ten Lacks of Rupees that he offered to the Governor General as a Preſent, to the Company's Account, as a Donation to them. It was beſides wiſhed, and Major Palmer was ſanguine in his Expectations of ſucceeding in the Negociation, that Hyder Beg Cawn and Almaſs Ali Cawn might be induced to lend a conſiderable Sum of Money as a Loan to the Company.

" The Governor General likewiſe ſhewed me Major Palmer's Letters from Owde ſoon after his Arrival there. I do not recollect their Contents, for I was not well at the Time. Major Davy returned to Calcutta ſoon afterwards, and the Accounts we had from both confirmed me in the Repreſentations that prevailed relative to the diſtracted State of the Vizier's Country." (*a*)

Read, further Extract from the ſame Conſultation, beginning at Page 762 of the ſame Book.

" Extract of a Letter from Warren Haſtings Eſquire, to Major William Palmer, dated Fort William, 6th May 1782.

" 4thly, The Nabob Vizier having, by an Intimation made to Mr. Middleton in the Month of February laſt, been pleaſed to expreſs his Deſire to make me a Preſent of Ten Lacks of Rupees, and requeſted my previous Conſent and Acceptance of the ſame, I deſire you will make my Acknowledgments, in proper Terms, for this Inſtance of his Liberality and Benevolence, and acquaint him, that I am precluded from accepting it by many Conditions, but by one eſpecially, which I beg him to take in good Part; namely, that if I had received it at the Time in which the Tender of it was made, it would have been liable to Conſtructions, even in his own Breaſt, ſo repugnant to the diſintereſted Friendſhip which I profeſs and bear towards him, that no Conſideration of perſonal Profit could have induced me to accept it at ſuch Hazard. If he ſhould renew the Offer to you, you will inform him, that my Objection remains the ſame, and is inſuperable; but that if he will be pleaſed to transfer it to the Company for the Relief of their preſent and known Diſtreſſes, I will accept it on their Behalf, with a Thankfulneſs equal to that which I ſhould have felt and expreſſed for the Gift had it been made to myſelf, the Wants of the Company being at this Time of equal Concern to me as my own: Let him underſtand this Subject rightly, and he will ſee in my Refuſal, thus qualified, the moſt convincing Proof of my Friendſhip for him, and Regard for his Intereſt." (*b*)

Then the Witneſs was aſked:

Q. When does this Preſent, referred to in that Letter and Inſtructions to Major Palmer, next appear upon the Conſultations?

A. I believe on the 12th of June 1783.

Q. Does any Thing, with reſpect to this Preſent, appear on the Minutes of the 7th of September, when Mr. Johnſon was removed?

A. I examined the Conſultations this Morning with that View, and I do not find it is mentioned there.

Q. When does it next appear?

A. Upon the 12th of June 1783.

(*a*) Vide Appendix, N° CLXIV. (*b*) Ibid.

Read,

Read, from Book 82, the following Extract of a Conſultation of the 12th June 1783, beginning at Page 71, of the ſame Book.

" Fort William, 12th June 1783.

" At a Council; Preſent, Bengal Secret Council.
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler,
John Macpherſon, } Eſquires.
John Stables,

" Extract from Charges againſt Mr. Richard Johnſon.

" 3dly, For ſending repeatedly to the Vizir, and to his Miniſter Hyder Beg Cawn, to adviſe them againſt transferring the Ten Lacks of Rupees intended as a Preſent to the Governor General to the Company's Account, as it would be a Precedent for further Demands; which, if the Vizir did not reſiſt in the firſt Inſtance, the Government would never ceaſe to harraſs him for Money. (*a*) Conſultation, 7th Sep. 1782. Major Palmer's Letter.

(Signed at the End of the Conſultation)

" Warren Haſtings,
Edwd Wheler,
John Macpherſon,
John Stables."

Read, from Book 81, the following Extract of a Conſultation of the 28th of July 1783, beginning at Page 282 of the ſame Book.

" Fort William, 28th July 1783.

" At a Council; Preſent, Secret Dept. Monday.
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler,
John Stables, } Eſquires.
Mr. Macpherſon indiſpoſed.

3d Charge, Con^s 7th September 1782.

" Major Palmer's Letter " for ſending repeatedly to the Vizier, and to his Miniſter Hyder Beg Khan, to adviſe them againſt transferring the 10 Lacs of Rupees intended as a Preſent to the Governor General to the Company's Account, as it would be a Precedent for further Demands, which, if the Vizier did not reſiſt in the firſt Inſtance, this Government would never ceaſe to haraſs him for Money."

60 a Loan.
12 for Four additional Regiments.
10 the Sum in this Charge.

Total 82

Anſwer.

" This Extract, and the Matter of the remaining Charges, are not in the Copy of the Proceedings of the 7th September ſent to me in December laſt. I am not the leſs ready to meet them here.

" The Act and Intention, as far as I ſhall limit them, in admitting myſelf the Cauſe of preventing the 10 Lacs mentioned from being, at that Time, paid to the Company, are true. The Reaſons aſſigned for ſuch Prevention, " left* the Nabob ſhould be again haraſſed," &c. are the Miniſter's own Words and Objections, made to me, transferred into my Mouth. The Mode alſo, by Meſſage, is likewiſe miſrepreſented. But that is immaterial. Suffice it for me to explain the Act. I acknowledge Fifty Lacs were due in Balance. All the Nabob's Reſources not promiſing to prove equal to diſcharge this Balance, a new Claim was at this ſame Inſtant made of 82 Lacs. The Reſources in my Hands, the ſole Fund exiſting to anſwer both, the Means unequal to this End, the Queſtion remained, which of the Two Claims, the new or the old, ſhould be firſt paid? I did not heſitate one Inſtant to declare, that if any of the Aſſets placed in my Hands ſhould be attempted to be eſtranged from the Purpoſes for which they were aſſigned, I ſhould declare it a Breach of Treaty. They were to diſcharge the Balances of Years. The ſole Object of the late Treaty, and all the Meaſures connected with it, had this ſingle Point for their End. Could I, deeply pledged for the Fulfilment of this Treaty, ſubſcribe to the total Subverſion of theſe Meaſures at the very Moment of their Completion, in the Termination of the Year preſcribed and allotted for their Operation? * Sic in Orig.

(*a*) Vide Appendix, N° CLXV.

I could

I could not; I ought not; therefore, I thus obſtructed the Whole; of courſe, the Parts of that Whole, for the Reaſons above aſſigned, and no other whatever. Whether ſuch a Preference, ſo given to a previous Claim, was criminal or meritorious, reſts with the Honourable Board to declare, when they recollect that retarding neither expunges or diminiſhes a Claim. Permit me here to ſubjoin, had the 10 Lacs been uninvolved with the 72, or had the aggregate Sum not been required within the Period left for liquidating the Balances intruſted to me, or had not the Aſſets lodged in my Hands for this Purpoſe been the ſole Funds from which ſuch Payment could be attempted, ſo far from impeding even for a Moment ſuch a Claim, I ſhould have been the firſt to ſupport and urge it to its Completion. (*a*)

Signed at the End of the Conſultation,

" Warren Haſtings,
John Macpherſon,
John Stables."

Read, from Book 84, already delivered in, the following Extract of a Conſultation of the 13th October 1783, beginning at Page 719 of the ſame Book.

☞

Secret Dept. Monday.

[" Fort William, 13th October 1783.

At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
John Macpherſon, and John Stables, } Eſquires.
Mr. Wheler abſent up the Country.

" Mr. Macpherſon.—The Charges which the Secretary has made out from the Records, againſt Mr. Richard Johnſon, for his Conduct as Acting Preſident at Lucknow, are in ſome Degree imperfect from the Want or Loſs of one of the original Letters, which ſtated his Miſmanagement. He has not availed himſelf of any Advantage by this Deficiency, but has avowed his Conduct relative to the principal Charge about the Ten Lacks, accuſing * the Vizir's Miniſter, Hyder Beg Cawn, of the Arguments which he was ſaid to have uſed with the Vizir to prevent him from tranſferring to the Company the Sum which he meant for the Governor General in that Donation. The original Letter of Complaint againſt Mr. Johnſon is ſince found, and entered on the Records. The Court of Directors will determine whether Mr. Johnſon's Arguments are ſufficient to vindicate him in this important Tranſaction. As the Tranſaction was ſtated to me in September 1782, when Mr. Johnſon was ordered to quit his Station, I conſidered it as equally injurious to the Wiſhes of the Governor General, and replete with Infidelity on the Part of Mr. Johnſon to his Employers. It remains ſtill to be cleared up between Mr. Johnſon and Hyder Beg Khan. I had underſtood at the Time, that the Ten Lacks were in Bills, and not a mere Offer to pay ſuch a Sum from the future Revenues of the Country.] ☞ §(" If, in this Tranſaction, Mr. Johnſon is ſuppoſed to " have eſpouſed the Intereſt of the Vizier againſt that of the Company, the firſt Charge of Oppreſ- " ſion againſt the Vizier's Government, loſes in Proportion on the Ground of its Evidence.") (*b*) §

* Sic in Orig.

(Signed at the End of the Conſultation)

" Warren Haſtings,
John Stables."

Read, the following Extract of a Conſultation of the 21ſt October 1783, beginning at Page 774 of the ſame Book.

" Fort William, 21ſt October 1783.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
John Macpherſon, and John Stables, } Eſquires.
Mr. Wheler abſent up the Country.

" The Governor General delivers in the following Obſervations on Mr. Johnſon's Defence.

" I am morally certain that Jaidaads or Aſſets for Ten Lacks, either in Aſſignment of Land or in Bills, had been prepared, and were in the Charge or Poſſeſſion of Mr. Middleton before Major

(*a*) Vide Appendix, N° CLXVI.

(*b*) Vide Appendix, N° CLXVII.

Palmer's Arrival, and left with Mr. Johnſon on Mr. Middleton's Departure. This Sum was declaredly given for my Uſe, but never accepted by me. The only Advantage I made of the Offer was, to requeſt the Nabob to transfer it, with the Obligation ſtill reſting with equal Weight upon my Gratitude for the original Deſtination of it, to the Company for the Relief of their preſſing Neceſſities.

" The Rectitude of this Tranſaction depends eſſentially upon Principles which every Man feels and acknowledges in his own Breaſt, but can hardly be judged by the Teſt of any official Rule. It might, indeed, have added to the Company's Claims on the Nabob, but I am not ſorry that Mr. Johnſon choſe to defeat my Intentions, ſince it would have added to the Nabob's Diſtreſſes, but with no immediate Relief to the Company. If, in his own Breaſt, he can view the ſecret Motives of this Tranſaction, and on their Teſtimony approve it, I alſo acquit him; as I do acquit him of the Charge on publick Ground. (*a*)

Signed at the End of the Conſultation,

" Warren Haſtings,
John Stables."

Read, a further Extract from the ſame Conſultation, beginning at Page 778, of the ſame Book.

" Upon the Whole, though I have ſtrictly delivered my Opinion on Mr. Johnſon's Defence, I muſt add, that I think he has been ſufficiently puniſhed by the Deprivation of his Office, and by the Severity with which it was immediately effected. " Not to be worſt, ſtands in ſome Rank of Praiſe." His Faults ſink to mere Errors and Inadvertencies, when compared with thoſe of his Principal; and are wholly loſt in the Contraſt with thoſe of the preſent Reſident." (*b*)

Read, a further Extract from the ſame Conſultation, beginning at Page 769 of the ſame Book.

" The Governor General delivers in the following Minute on Mr. Middleton's Defence.

" I perceive that Mr. Middleton has alluded, as Mr. Johnſon has alſo done, to certain unexplained Claims made on the Nabob Vizier by Major Palmer, amounting to 82 Lacks of Rupees. As neither explain them, but ſpeak of them as Points of undoubted Credit, I think it proper to declare my Doubts and Diſbelief of them, and to aſſign my Reaſons, as far as I can in remote Recollection, of the little which I have ever known concerning them. Ten Lacks of this Sum have been explained by me, to relate to a Proviſion to that Amount actually made; and, as I have ever underſtood, delivered to the Preſident for its deſtined Appropriation." (*c*)

Minute from the Governor General.

Read, a further Extract from the ſame Conſultation, beginning at Page 779 of the ſame Book.

" In Conſequence of the Opinions delivered by the Governor General, and other Members of the Board, on the Defence made by Meſſrs. Middleton and Johnſon againſt the Charges exhibited againſt them, the following Letters to the * were drawn up by the Secretary, and are applied * by the Board." (*d*)

* Sic in Orig.

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 780 of the ſame Book.

" To Mr. Richard Johnſon.

" 3d. The Board decline paſſing their Judgement upon the Iſſue of the Third Charge, but leave it in Reference to the Honourable the Court of Directors to decide upon your Reply to this Article." (*e*)

Read, from a Book already delivered in, the following Extract of a Conſultation of the 10th November 1783.

" Fort William, 10th November 1783.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler,
John M'Pherſon,
and
John Stables,
Eſquires.

Sec. Dep. Monday.

Bengal Secret Council.

" The following Letters from Mr. Richard Johnſon having been alſo received and circulated, the Minutes recorded after them were returned to the Secretary.

To the Honourable Warren Haſtings, &c. &c.

" You have been pleaſed to declare me guilty of the 1ſt, 2d, 4th, 5th, and 6th Charges; not guilty of the 7th—and the Third you decline any Opinion upon, referring it to the Court of Directors, together with the Tranſaction with the Bankers.

(*a*) Vide Appendix, N° CLXVIII. (*b*) Vide Appendix, ibid. (*c*) Vide Appendix, N° CLXIX.
(*d*) Vide Appendix, ibid. (*e*) Vide Appendix, ibid.

" It is probable that there can be no Evidence before the Court of Directors, beyond what is before your Honourable Board, to enable them to clear up what you cannot determine upon. By referring Part of my Caſe to them, my Fate again becomes in ſo far protracted to an eventual Iſſue of 18 Months; and as you have been pleaſed to declare me ſufficiently puniſhed by my Removal, this additional Sufferance would militate againſt ſuch Declaration. Let me therefore ſolicit you to paſs a determinate Opinion of Guilt or Acquittal upon theſe two Heads, as the Court of Directors in their Purſuit of Juſtice muſt be benefited by the Aſſiſtance of you * Sentiments given on the Spot ſo much nearer to the Impreſſion and Conviction of local Evidence.

* Sic. in Orig.

" Further, as the Tendency of apparent Intentions in any Act is generally underſtood to go far in eſtabliſhing the Criminality of that Act, it might * of Service to the Cauſe of Juſtice, if your Honourable Board would be pleaſed to go one Step further in the Explanation of your Opinion upon my Conduct, by adding to the whole of your Sentence a Declaration, whether the Acts which you fix upon me appear to have been effected with any Criminal Intentions againſt the Intereſts of my Employers, or whether they appear to have originated in an erroneous Judgment of the Orders I acted under, or, in ſhort, whether they were ſtimulated by a malicious and wanton Exertion of miſplaced Power, or a good Intention ignorantly purſued.

* Sic in Orig.

" I venture to crave this additional Opinion, not only to mark your explicit Sentiments upon my Conduct for the full Information of the Court of Directors, but alſo to ſerve in the Event of a favourable Deciſion as an Aid and Support to myſelf in ſoliciting your further Employment, in the Hope of being now indulgently deemed qualified to undertake ſuch Duty in the general Buſineſs of the Service as the Honourable Board may be pleaſed to allot me.

" Fort William,
31ſt October 1783.

I have the Honour to be, &c. &c.
(Signed) R. Johnſon."

Signed at the End of the Conſultation,
" Warren Haſtings,
Edward Wheler,
John Stables."

" *To Edward Hay Eſquire, Secretary.*

" My Letter requeſts a Deciſion on the Third Charge, without Reference to the Court of Directors. Upon this Head, I find in the Governor General's Minute, the following Words: " I do acquit him (Mr. Johnſon) of this Charge on publick Ground." Upon the ſame Subject, Mr. Wheler ſays, " Mr. Johnſon, in Point of official Regularity, may appear correct in admitting the old Claim upon the Vizier in Preference to the new." Theſe two favourable Extracts, if they are not the unmixed Tendency of the Reſolution of the Board, yet they ſhew Ground for not leaving the Charge to the diſtant Deciſion of the Court of Directors, which is the whole Aim of my Requeſt on this Article. (*a*)

(Signed at the End of the Letter)
" R. Johnſon."

Read, a further Extract from the ſame Book, and the ſame Conſultation, as follows:

" Fort William, 10th November 1783.

Secret Dep. Monday.

Bengal Secret Council.

At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
" Edward Wheler,
John McPherſon,
and
John Stables, } Eſquires.

" The following Letter was in Conſequence written to Mr. Johnſon, by the Secretary.

" To Mr. R. Johnſon.

" Sir,

" I am directed by the Honourable the Governor General and Council to acknowledge their Receipt of your Letter of the 31ſt Ult^o. in Anſwer to which, as well as to your Letter to me of the 4th Inſt. I am ordered to acquaint you, that the Reference in your Caſe to the Honourable the Court of Directors, being intended to be made upon thoſe general Principles by which all the Acts and Proceedings of this Government are referred in Courſe to them for their final Approbation and Confirmation, it ſtands as follows in the Board's General Letter to the Court of Directors ℔ Nurbudda.

" For the Particulars of the Charges which were prepared againſt Meſſrs. Middleton and Johnſon for their Conduct at Luchow, together with their reſpective Defences, and our ſeveral Opinions upon them, we beg to refer you to the Conſultations noted in the Margin." (*b*)

" I am,
" Council Chamber,
10th Nov. 1783. (Signed) " Sir, &c.
" E. Hay, Pub. Secy."

(*a*) Vide Appendix, N° CLXX.

(*b*) Vide Appendix, ibid.

The

The Managers for the Commons ſtated, they would next ſhew the Appointment of Mr. Johnſon to one of the moſt important Embaſſies connected with the Britiſh Government.

Read, from Book 282, the following Extract of a Conſultation of the 20th of January 1784, beginning at Page 258 of the ſame Book.

" Fort William, 20th January 1784.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler, John Stables, } Eſquires.
Mr. Macpherſon abſent.

" The Governor General.—Having long ſince apologized to the Nabob Nizam Ally Cawn for delaying to depute a Public Miniſter to his Court, ſince the Receipt of his Acquieſcence, moſt liberally and chearfully given to the propoſed Appointment of Mr. R. J. Sulivan to that Office, and the preſent Criſis of our Affairs rendering it eſſentially neceſſary to have * Repreſentative of this Government at the Court of a Prince who has lately acquired an Aſcendant over all the principal States of Deckan, for the Purpoſe of guarding againſt and counteracting any Intrigues to the Prejudice of our Intereſts, and keeping his Mind ſteady to the favourable Diſpoſition which he has hitherto profeſſed and manifeſted towards us, but which is liable to be ſhaken by the apparent Neglect which may be conſtrued from a longer Suſpenſion of this Meaſure, I am, by theſe Conſiderations, induced to bring this Subject again at this Time before the Board; and having judged Mr. Richard Johnſon to be duly qualified for ſo important a Truſt, I recommend that he be appointed thereto, with the ſame fixt Salary and Allowances as are drawn by other Miniſters, and that his contingent Bills be paſſed in the ſame Manner as thoſe of Mr. Hollond. * Sic in Orig.

" Agreed, That Mr. Richard Johnſon be appointed Reſident on the Part of this Government at the Court of the Nabob Nizam Ally Cawn, with the ſame fixt Salary and Allowances as are drawn by other Miniſters, and that his contingent Bills be paſſed in the ſame Manner as thoſe of Mr. Hollond were. (*a*)

(Signed at the End of the Conſultation)

" Warren Haſtings,
Edwd Wheler,
John Stables."

The Managers for the Commons next deſired, that a Letter from the Vizier might be read.

Book 285. N° 57.

" From the Vizier. Received 23d Auguſt 1782.

Par. 57. " Major William Palmer and Mr. Davy have made known to me your Orders, reſpecting my Authority in the Country, with great Regard and Conſideration, and have made me grateful * for your Favours. They aſked for a Paper of Requeſts, which I accordingly wrote and gave to them; they afterwards ſpoke about Ten Lacks of Rupees for the Expences of the Sircar of the Company; next, they ſpoke about Four Regiments, that I ſhould employ them from the Company's Troops in the Sebundys of my Country. Reſpecting theſe Two Articles, although I have no Power, yet, as Major William Palmer repeatedly ſaid, that this would be giving Pleaſure to the Nawab (meaning your Highneſs), being remedileſs, in Obedience to your Will I wrote a Letter to Major Palmer in the Manner I agreed to it, from which you will become acquainted with it. They now ſay, that as important Matters are in Hand, for the Expences of the Company's Sircar, I muſt give Sixty Lacks of Rupees by way of Loan, that either I muſt borrow it from the Merchants, and from my Relations, and take a Bond, or give Aſſignments on the Country. After Two Years, when this Matter ſhall have been ſettled, that Money ſhall be repaid; my Country and Property belong to your Highneſs, to the utmoſt of my Life. I am not backward in the Company's Affairs and your Highneſs's Pleaſure. By the Bleſſing of God you are wiſe in the Times. The full Particulars of my Country are not concealed from you. How ſhall I make known my Situation? From the Time that theſe Propoſitions have been made, all Judgment has left my Mind. After the Death of the deceaſed Nawab, on Account of the Greatneſs of the Expences of the Army of the Sircar of the Company, which was here, I ſupported myſelf in a Manner that I cannot deſcribe. * Sic in Orig.

I never found Reſource equal to the neceſſary Expences: Every Year, by taking from the Miniſters, and ſelling the Articles of my Karkhanna, I, with great Diſtreſs, tranſacted the Buſineſs; but I could not take care of my Dependants; ſo that ſome of my Brothers, from their Difficulties, aroſe and departed; and the People of the Khord Mahault of the late Nawab,

(*a*) Vide Appendix, N° CLXXI.

who are all my Mothers, from their Diſtreſſes, are reduced to Poverty, and involved in Difficulties.—No Man of Rank is deficient in the Care of his Dependants, in proportion to his Ability.

Notwithſtanding the Exiſtence of theſe Diſtreſſes, I am thankful and ready to ſatisfy you. But never was the Money of the Tuncas for the Brigades, &c. received without a Balance from the Jaidad of the Company; and yet the Gentlemen, to the utmoſt of their Abilities, were guilty of no Neglect in taking Aſſignments, and collecting the Money. This Year, that you, from your Goodneſs, having diſcovered the State of my Diſtreſſes, recalled the Brigade and Battalions, and granted me an Engagement that all Matters ſhould be as in the Time of the deceaſed Nawab, I took from my Mother, and diſcharged the Balances to the Company's Sircar as they appeared from my Bond. Many Years are required to relieve me from the former Diſtreſſes. I know, that as you, from real Affection, had releaſed me from the Weight of Expences, I ſhould have ſome ſmall Relief from the neceſſary Expences at this Time theſe Propoſitions are brought forward. My Brother and Companions, from the Reſumptions of the Jagheers, are reduced to great Affliction and Diſtreſs; from the Mahajens of this Town ſhould I requeſt the Loan of One or Two Lacks of Rupees, they cannot give it, having no Reſources. I have never been deficient in the Friendſhip of the Company, and Obedience to your Pleaſure. I have looked upon my Difficulties as a Cauſe of Satisfaction, and am always ready to execute your Commands. In theſe Propoſitions I am aſtoniſhed and confounded at my bad Fortune, that I ſhould have ſuch a compaſſionate Friend as your Highneſs, and be involved in ſuch a Situation. What Anſwer can I give, and how can I ſupport my Life?

" Difficulty, with your Favour, becomes eaſy; what is eaſy, by your Neglect becomes difficult. Night and Day paſs in Grief and Affliction. Either make looſe my Difficulties, or elſe call me to your Preſence. I will reſide with your Highneſs, and whenever you ſhall give me my Diſmiſſion, with the Favours and Affection which belong to you, I ſhall return to my Country, and be releaſed from continual Afflictions."

" Encloſures.

" N° 1. Copy of a Letter from the Nawab Vizier to Major William Palmer, dated 19th Shabaun.

" On the Subject of Ten Lacks of Rupees, you repeatedly have ſaid, that the Nawab Governor's Pleaſure is, that I ſhould give them for the Expences of the Company's Sircar. The Nawab Governor's Will is binding upon me. I can make no Excuſes. Take Ten Lacks of Rupees for the Expences of the Company's Sircar. But you have ſaid, that if I am willing to aſſiſt the Affairs of the Company's Sircar, you will fulfil my Requeſts agreeably to the Paper, as the Nawab Governor's Permiſſion is arrived. With reſpect to the Two Points of which you have ſpoken, I agree to both of them, and will give for the Expences of the Company's Sircar Ten Lacks of Rupees this Year, and Six Lacks of Rupees yearly, in lieu of Regiments, upon Condition that I obtain my Requeſts and Authority. It is proper that you adjuſt my Requeſts, agreeably to the Paper upon which the Nawab Governor has given Orders, and reſtore me to the Management of every Concern."

" N° 2. Copy of a Letter from the ſame to the ſame, dated 30th Shabaun.

" In Anſwer to your Demand of a Loan of Sixty Lacks of Rupees, I repreſented and explained to you, with the greateſt Reverence, the full Particulars of my Inabilities; that in Caſes where I have Power and Ability, I am never negligent, to the Extent of my Life, in promoting the Affairs of the Company's Sircar, and in obeying the Nawab Governor's Orders. You, in my Preſence, ſpoke to me, and ſent a Meſſage to me, that if I did not give Sixty Lacks of Rupees, by Way of Loan, the Nawab Governor would be highly diſpleaſed, and would quit my Friendſhip, and would alſo recall the Old Brigade which is here; and beſide, the * whatever may be the Nawab Governor's Will you did not know. Why did not you give me prior Information that it would proceed to this Extremity?

* Sic in Orig.

" My Friend! the Friendſhip of the Company, the Nawab Governor, and the Gentlemen of the Council, is fixed in my Heart, and I have remained ſo inattentive and forgetful, from a Dependance on their Friendſhip and Satisfaction, that I have nothing left to me but my Name; and every Thing elſe belongs to them.

" To the Glorious and Omnipotent God it is known, what Diſtreſſes having brought upon myſelf, in the Obedience to his Pleaſure, I have ſupported Life. Notwithſtanding all this, you make theſe Kinds of Propoſitions and Meſſages on Behalf of the Governor. I had never an Idea that the Nawab Governor would behave in ſuch a Manner towards me, as to withdraw his Favour and Friendſhip; if it is really and fully known to you, that the Nawab's Will is to ceaſe the Connection, I will go myſelf to his Preſence, and explain my Situation. Had I any Reſources, I would not make any Delay and Excuſes. If the Nawab will be favourable, it is well; if not, I will remain there. As I, conformably to the Nawab's Letter, conſider what you ſay to hve been ſpoken by the Nawab, having repreſented all my Particulars, when you anſwer that in future, there will be no Blame on you for the Diſgrace of this Place; therefore, being remedi-

leſs, I write this much, that my Friendſhips for the Company, the Nawab, and the Gentlemen of Council, are not ſuch as to be thrown to the Wind without a Cauſe; and to the End of my Life I cannot agree to it; the Nature of the Governor's Firſt Meſſage of Friendſhip was ſuch: At this Time, Propoſitions to this Effect confound me greatly. In ſhort, whatever you know of the Nawab's Intentions, write to me explicitly; as in this Caſe my remaining here is impoſſible.

The Managers for the Commons deſired to refer the Houſe to Page 799 of the printed Minutes, to ſhew that the ſaid Letters and Complaints of the Vizier, and his Accounts of thoſe Sums of Money, were ſuppreſſed, and did not appear upon the Conſultations till the Month of February 1785.

Then Mr. WILLIAM WRIGHT was again called in, and examined as follows:

Q. Have you made out any Account of the Net Receipts into the Treaſury of Bengal, from the Landed Revenue, of the Four Years preceding the Year 1780, and the Four Years ſubſequent to the Year 1780?

A. I have ſuch an Account in my Hand—from 1776 to 1780, and from 1781 to 1785.

Q. Did you make out that Account from the Books of the Eaſt India Company?

A. I did; from the Conſultations of the Revenue Department of May and July 1785.

Q. Does any Difference appear between the Total Net Receipts of the Firſt Four Years, and the Total Net Receipts of the laſt Four Years?

A. In the Firſt Four Years, the Total Net Receipt was Seven Crore Eighty-one Lacks and odd Rupees; and in the laſt Four Years, Seven Crore Sixty-two Lacks and odd Rupees.—Deficiency in the laſt Four Years, Eighteen Lacks.

Q. Have you any Account of the Charges of the Collections of the Bengal Revenue in thoſe Years?

A. I have. In the Firſt Four Years, the Charges of Collection amounted to Two Crore Sixteen Lacks; in the laſt Four Years, to Two Crore and Seventy-one Lacks: Increaſe in the laſt Four Years, Fifty-five Lacks.

Q. Then it appears, that in the laſt Four Years there was a Diminution in the Receipt of Eighteen Lacks, and in the ſame Four Years an Increaſe of Expence Fifty-five Lacks?

A. The Diminution of the Receipt is after the Deduction of thoſe Charges.

Q. Your Account is an Account of the Net Receipts into the Treaſury, after deducting all Charges?

A. It is.

Q. Is there a Difference in the laſt Four Years of Eighteen Lacks?

A. It is ſo.

Then the Witneſs delivered in Two Papers—the ſame were read, and are as follow:

BENGAL REVENUES.

	Current Net Collections.	Balances collected.	Total.
1776—7	187,15,865	13,94,769	201,10,634
7—8	170,49,710	20,78,451	191,28,161
8—9	173,95,871	19,19,747	193,15,618
9—80	180,21,226	15,66,322	195,87,548
	R' 711,82,672	69,59,289	781,41,961
1781—2	189,55,004	6,23,989	195,78,993
2—3	188,24,855	6,50,462	194,75,317
3—4	181,93,492	4,49,916	186,43,408
4—5	176,68,646	8,91,702	185,60,348
	R' 736,41,997	26,16,069	762,58,066
		Leſs in laſt Four Years	18,83,895
1777 to 1780		Total	580,31,327
1781 to 1784			576,97,718
		Leſs in laſt Three Years	3,33,609

(a) Vide Appendix, N° CLXXII.

	Current Net Collections.	Balances collected.	Total.
1774—5	195,69,610	17,40,399	213,10,009
5—6	195,25,825	12,18,176	207,44,001
6—7	187,15,865	13,94,769	201,10,634
	578,11,300	43,53,344	621,64,644
Total in 1781 to 1784			576,97,718
		Leſs in laſt Three Years –	44,66,926

Eaſt India Houſe,
2d June 1790.

Errors excepted.

Wm Wright,
Auditor of Indian Accounts.

BENGAL CHARGES COLLECTION.

1776—7	R$ 49,05,739
7—8	53,80,818
8—9	56,45,947
9—80	56,80,637
	R$ 216,13,141
1781—2	66,55,869
2—3	59,63,661
3—4	71,29,094
4—5	73,73,738
	R$ 271,22,362
Increaſe in laſt Four Years – –	R$ 55,09,221

Eaſt India Houſe,
2d June 1790.

Errors excepted.

Wm Wright,
Auditor of Indian Accounts.

(*Croſs examined.*)

Q. Whether you have examined what was the comparative Amount of the groſs Collections in the Firſt Four Years, and in the other Four Years? Was more collected in the laſt Four Years than in the former?

A. I believe that has already been ſtated in Evidence. The Increaſe of the Groſs Collections in the laſt Three Years amount to 33 Lacks.

Q. (*by a Lord.*) That is the Groſs Revenue?

A. No; the Net Collection of the Revenue of the current Year.

Q. (*by the Managers.*) In that Account is there an Account of the collected Balance; aye or no?

A. Certainly not.

Q. Then from that Account the total Receipts into the Company's Treaſury from the Bengal Revenue does not appear?

A. No; it does not.

Q. Do the total Net Receipts appear in the Account you have now given?

A. They do.

Q. (*by Counſel.*) Whether it appears from the Account you have delivered in, what were the Particulars in which the Expenditures exceeded the Expenditures of the former Period—in what Particulars?

A. I have not the Particulars of the Charges here, but I believe they are already in Evidence.

Q. (*by a Lord.*) Is it ſo, that they are in Evidence?

A. It is ſo certainly.

Q. (*by a Lord*). You do not know, nor have in your Hand, any Account of the Articles of Expence in collecting the Revenue of the laſt Year?

A. No; I have not. The Particulars of the Charges here, are printed, I believe, in the Evidence.

The

The Managers for the Commons ſtated, that the Particulars of the Charges now under Enquiry, would be found in Page 1194 of the printed Minutes—the Account of one Year, and the Account of the Particulars of the Charges for all the other Years, are to be found in the Appendix.

Q. *(by a Lord.)* Then your Sum Total is made up of thoſe Particulars which are printed, either in the Evidence, or the Appendix?
A. Yes; it is ſo.

The Counſel for the Defendant deſired that the Particulars of the Years 1784—5 might be printed, in the ſame Manner as the Particulars of all the other Years.

The ſame was ordered. (*a*)

Then the Witneſs was aſked,

Q. What Remittances Mr. Haſtings made, diſtinguiſhing each Year, through the Caſh of the Company, to England upon his own Account, beginning in the Year 1772?
A. I have ſuch an Account in my Hand.

The Witneſs read from a Paper, which he afterwards delivered in; the ſame was read, and is as follows.

"An Account of Remittances made by Mr. Haſtings, through the Company's Caſh, ſince April 1772.

			C. R^{s}	£.
" Dec. 1772.	Paid into the Bengal Treaſury for Bills on the Court		74,264 at 2 s 2½ d.	8,200
May 1774 to April 1775,	Paid into ditto, for ditto	—	98,654 at ditto	10,893
1775 —— 1776	ditto ditto	—	1,80,480 at 2 s. 1 d.	18,800
1776 —— 1777	ditto ditto	—	1,96,800 at ditto	20,500
1777 —— 1778	ditto ditto	—	1,08,000 at ditto	11,250
1778 —— 1779	ditto ditto	—	1,43,000 to be drawn from China at 5 s. 2 d. the Dollar	14,880
1779 —— 1780	ditto ditto	—	81,600 at 2 s.	8,160
	ditto ditto	—	40,000 at 2 s. 1 d.	4,167
1780 —— 1781	ditto ditto	—	43,000 ditto	4,479
	ditto ditto, Account the Remittance Loan, at 4 per Cent. 1,66,000, at 2 s. which, with Intereſt, amounted in Bills to		—	18,610
1783 —— 1784,	Paid into the Bengal Treaſury for Bills to be granted February 1785, for which, with Intereſt, Bills were drawn for 2,02,000		— — — —	22,319
1784 —— 1785,	Paid into ditto for ditto 58,000, for which Bills were drawn for		— — — — —	5,245
	Paid into ditto, for Bills on the Court, 13,450 at 2 s. 1 d.			14,010
Jan. 1776,	Paid into the Treaſury at Canton, for Bills on the Court, in Favour of Meſſ. Woodman, Waller, and Sykes, Account the Honourable Warren Haſtings		— — — — — —	19,366

" Amount Value of Diamonds remitted to Europe, by or on Account of Warren Haſtings, from 1772.

1773 —— 1774	— — —	Rupees	1,44,114
1774 —— 1775	— — — — —		2,71,140
1775 —— 1776	— — — —		50,000
1779 —— 1780	— — — — —		30,000
1781 —— 1782	— — — — —		24,632
1784 —— 1785	— — — — —		12,500
1785 —— 1786	— — — —		46,400
		Rupees	5,78,786
		Valued at 2 s. are	£. 57,878
			£. 221,340
			17,417
			£. 238,757

(*a*) Vide Appendix, N° CLXXIII.

Then

Then the Witneſs was aſked,

Q. Have you any Account of the Bonds outſtanding in Mr. Haſtings's Name?
A. I have not.

Q. Are there any other ways of Remittance from India but through the Company?
A. Not that I know of: I have heard that many Perſons in India have remitted their Fortunes through foreign Channels.

Q. (*by Counſel.*) Whether the Officers at the Settlement at Calcutta have not an Annual Privilege of remitting; whether it is not permitted to all the Company's Servants at Calcutta?
A. They had till very lately, I believe till the Year 1786.

Q. (*by a Lord.*) A Privilege to a certain Extent?
A. Yes.

Q. Does not a very conſiderable Share of the Privilege of remitting fall to the Governor General?
A. Certainly.

Q. Have you any Means of knowing whether the Sums you have ſtated to be remitted were Mr. Haſtings's own Property, or the Property of other Perſons remitted through his Name?
A. The Money appears to have been paid in by Mr. Haſtings himſelf, or in his Name.

Q. Have you any Means of knowing whoſe Property it was, or on whoſe Account it was remitted?
A. No more than I have ſtated.

Q. To whom are theſe Bills made payable?
A. To Meſſrs. Woodman, Waller, and Sykes—except to the Amount of £18,000.

Then JOHN SHORE Eſq. was called in, and being ſworn, was examined as follows:

Q. Inform the Houſe whether you have ſeen a Minute inſerted in the Revenue Conſultations of the 18th of May 1785, purporting to convey a Plan of yours for the Adminiſtration of the Revenue?
A. I believe I have ſeen the Paper to which the Honourable Manager alludes; I ſuppoſe it is the ſame that he ſhewed me.

Q. Whether you gave Mr. M'Pherſon ſuch a Paper, and whether it is your Writing?
A. I certainly did give Mr. M'Pherſon ſuch a Paper; I believe it to be the ſame as what I then wrote, allowing for the Errors of the Tranſcriber.

Q. Whether when you wrote that Paper, you meant to deliver your real Sentiments to Mr. M'Pherſon?
A. I certainly did.

The Managers for the Commons deſired the Paper might be read.

The Counſel for the Defendant conſenting to the Paper being read, the ſame was read, and is as follows.

" Fort William, the 18th May 1785.

" At a Council; Preſent,
The Honourable John Macpherſon Eſquire, Governor General, Preſident;
and John Stables Eſquire.
The Honourable Charles Stuart indiſpoſed.

Mr. Shore's Remarks accompanying Governor General's Minute.

" Remarks on the Mode of adminiſtering Juſtice to the Natives in Bengal, and on the Collection of the Revenue.

" 1ſt. The Company are in Poſſeſſion of a very extenſive Territorial Juriſdiction in Bengal, equally fertile, populous, and advantageous to the Britiſh Nation, for the large Returns it makes in Revenues and Manufactures.

" It becomes a Queſtion, What Syſtem of Government can be beſt adopted for the Management of this Territory? This cannot be anſwered till ſeveral leading Facts have been aſcertained.

" Bengal is inhabited by various Sects, amongſt which that of the Hindoos may be eſteemed to make up Eight Tenths of the Population: They are the Aborigines of the Country, and by Nature and Religion are peaceable and inoffenſive.

" Their National Character is the Compound of their Characters as Individuals: An obſtinate Attachment to all their Cuſtoms and Prejudices, whether ſuperſtitious, ceremonious, or traditional, may be deemed a general Characteriſtic of the Hindoos.

" Their Manners partake of the Nature of the Government under which they have ever lived: And this has been arbitrary or deſpotic; the Natives are timid and ſervile. As Individuals, they

are inſolent to their Inferiors; to their Superiors, generally ſpeaking, ſubmiſſive; though they are to them alſo guilty of Inſolence, where they can be ſo with Impunity.

" Speculation they ſeldom indulge in any Tranſactions; the preſent Hour is what they alone look to the Advantage of, which they will not forego for greater certain Proſpects, if remote. They are as little moved by Curioſity.

" Individuals have little Senſe of Honour; and the Nation is wholly void of Publick Virtue. They make not the leaſt Scruple of lying, where Falſehood is attended with Advantage; yet both Hindoos and Mahomedans continually ſpeak of their Credit and Reputation, by which they mean little more than the Appearance they make to the World. Of the Two, the latter are more tenacious of this; the ſame Man that will ſubmit to the greateſt Indignities exerciſed upon him in private, will be clamorous at an Affront put upon him before his Servants or the Publick.

" Cunning and Artifice is Wiſdom with them; to deceive and overreach is to acquire the Character of a Wiſe Man.

" The greateſt Diſgrace they can ſuffer is to loſe their Caſt, or, as we ſay, to be excommunicated. This Puniſhment is inflicted for the Breach of the Injunctions of their Religion; or, what is the ſame, of the Ordinances of their Prieſts. To lie, ſteal, plunder, raviſh, or murder, are not deemed ſufficient Crimes to merit Expulſion from Society.

" With a Hindoo, all is centered in himſelf; his own Intereſt is his Guide; Ambition is a ſecondary Quality with him; and the Love of Money is the Source of this Paſſion.

" The Advantage they derive over Europeans, is by practiſing thoſe Arts of Meanneſs which an European deteſts. A Man muſt be long acquainted with them, before he can believe them capable of that barefaced Falſehood, ſervile Adulation, and deliberate Deception, which they daily practiſe.

" To our Government they have little Attachment; yet it is certain that, in general, Property has been more ſecure, and Individuals leſs oppreſſed, than under the Deſpotiſm of their Nabobs. I aſſert this with all the Confidence Conviction inſpires. I believe them to be as much attached to the Engliſh Government as they would be to any other; but if another Dominion could eſtabliſh itſelf, they would embrace * with Indifference. The Reaſon of this muſt be ſought for in the Conſequences of a deſpotic Authority; and by tracing them, the Characters of the Natives will be eaſily developed and underſtood; in them will be ſeen the Source of Timidity, Adulation, and Deceit, which prevail.

* Sic in Orig.

" It is very obvious, that within the laſt Ten or Twelve Years, a conſiderable Alteration has taken Place in the Manners of the People. This Alteration is the natural Conſequence of a greater Degree of Intimacy with Europeans, than they formerly were admitted to. Thoſe Parts of our Character which firſt drew their Attention, were Bravery, Clemency, and Good Faith. They have ſince found that we are not wholly deſtitute of Weakneſſes and Vices; and that Europeans, like all others, are open to Temptation: The Reſpect they entertained for us as Individuals, or as a Nation, is diminiſhed; and they now conſider themſelves upon a more equal Footing.

" The Introduction of the Supreme Court of Judicature has largely contributed to the Elevation of the Natives, and to the Depreſſion of Europeans. This Syſtem, which was meant for the Relief of the Natives, has, in very few Reſpects, anſwered that Object; in many Inſtances it has been a heavy Grievance to them; and the Natives themſelves have found out the Art of making the Powers of the Court the Means and Inſtrument of forwarding their own Views of Intereſt and Oppreſſion, of eluding the Power of the Government, and of weakening its Authority, by engaging the Two Tribunals in Conteſts with each other.

" It is in vain that we ſearch for Men of enlightened Underſtanding, deep Reaſoning, and Reflection, amongſt the Natives. The Education of the Hindoos is confined to their being taught their own Language: The Mehomedans are little better inſtructed; the Acquiſition of a few moral * political Maxims, which in Practice they neglect, is all they know of the Art of Government; if Exceptions can be found, they are very rare.

* Sic in Orig.

" Such are the Inhabitants of Bengal, over whom the European Juriſdiction is eſtabliſhed: Prudence may, no doubt, render it permanent, but Prudence and Policy alone can effect this; from a Compariſon of their Numbers with ourſelves, it muſt be evident to all, that the Power by which we rule is leſs real than ideal.

" The grand Object of our Government in this Country ſhould be to conciliate the Minds of the Natives: this may be effected by allowing them the free Enjoyment of all their Prejudices, and by ſecuring to them their Rights and Property. The Form of it ſhould, I think, be deſpotic, and the Natives ſhould ſtill be retained in thoſe Habits of Submiſſion which are natural and familiar to them; to this they will make no Objection, whilſt they are treated with Humanity and Juſtice.

" Between the Head Tribunal of Government and its Subjects, I would preſerve a great and reſpectable Diſtance; nor ſuffer the Perſons of the Members of the State to be treated with a Familiarity which induces Contempt.

" In Fact, the Supreme Council in Bengal ſhould be a Council of Comptrol merely to ſuperintend the Conduct of all the other Departments of the State, and oblige them to do their Duty. As a Government, or as Individuals, they ſhould not interfere in the executive Duties of ſubordinate Stations; but be attentive only to correct their Errors, reform their Abuſes, or puniſh

their Injuſtice; they ſhould preſcribe Rules of Conduct, and leave the Execution of them to others.

" Their Buſineſs upon this Scale would be limited, ſimple, and eaſy: But where the Members of the State, or the collective Body of it, attend to all Applications, interfere in all Appointments, and undertake Buſineſs of a trifling Nature, they can neither act with Propriety as an Office of Comptroul, nor as an Office of Diſpatch, whilſt they leave it in the Power of the loweſt to judge of their Capacities and Intentions.

" Upon this Principle, all the ſubordinate Offices of Government ſhould alſo be formed: The Gradation from the firſt to the laſt ſhould be eaſy and connected; and all Buſineſs in its Progreſs ſhould obſerve theſe Gradations: And we muſt be careful not to ſuffer the Exiſtence of Two Authorities that claſh with the Operations and counteract the Influence of each other.

" Theſe are the general Outlines; in the Application of them we are to conſider the Three great Departments of the Government; viz. The Adminiſtration of Juſtice, the Management of the Revenues, and the Commercial Intereſts—The Political Department relates to other Objects, ſo wide and extenſive, that it muſt be conſidered ſeparately.

" Several Syſtems have been adopted for the Management of the Revenues, and the Adminiſtration of Juſtice; at one Period they have been united, at another they have been ſeparated.

" Till the Year 1770 the Revenues, with a few partial Exceptions, were under the Controul of the Natives; but it was then deemed more advantageous to the Company to employ their Servants. In conſequence of this Determination, Europeans were appointed as Superviſors, and the Comptrol of the Diſtricts, in Matters of Revenue, as well as in what related to the Adminiſtration of Juſtice, was veſted in them,

" Two Councils of Comptrol were eſtabliſhed; One at Moorſhedabad, and One at Patna; to theſe the Collectors were ſubordinate, and acted under their Orders and Authority.

" Theſe Councils were, in their Turn, ſubordinate to the Council at the Preſidency, compoſed of the Members of the Government themſelves.

" The Khalſa, or Head Revenue Court of the Country, was at that Period fixed at Moorſhedabad; but it was thought proper to remove it to Calcutta, and the Council at Fort William took upon themſelves the immediate Direction and Comptrol of the Collectors; in conſequence of which the Two Councils at Moorſhedabad and Patna were aboliſhed.

" In 1774 the Collectors were recalled, and the Diſtricts were formed into Diviſions, and Provincial Councils of Revenue appointed for each; their Stations were at Calcutta, Burdwan, Patna, Dacca, Moorſhedabad, and Dinagepore. The Adminiſtration of Civil Juſtice was veſted in the Council at large, but held in Rotation by One of the Members.

" In the Year 1780 the Adminiſtration of Juſtice was ſeparated from the Comptrol over the Revenues, and veſted in Perſons, neither connected with the Revenue Department, nor ſubordinate to it.

" In 1781 the Plan was extended, and the Number of the Courts of Adawluts encreaſed; and in the Beginning of the ſame Year the preſent Syſtem for the Management of the Revenue took Place.

" To all theſe Plans, excepting the Firſt, very ſolid Objections may be made. In propoſing the Syſtem which appears to me the ſimpleſt and beſt, I ſhall give Attention to them.

The following are the Outlines of the Plan.

" 1ſt. That in the Two Departments of the Adminiſtration of Juſtice in Civil Caſes, and the Management and Comptrol of the Revenues, the Servants of the Company ſhould be employed.

" 2d. That the Duties of theſe Two Departments be veſted in the ſame Perſons.

" 3d. That for this Purpoſe, Company's Servants, under the Denomination of Superintendants, be appointed to the different Diſtricts.

Article 1ſt.

Remarks. " After the Character which has been given of the Natives, it is needleſs to add, that I think them ill calculated for theſe important Truſts. I might appeal to every European who has had Opportunities of ſeeing the Natives in Office, in Support of my Opinion.

" The general Syſtem of Affairs in Bengal is now wholly different from what it was Ten Years ago: The Scale of Connections and Intereſts is greatly extended, and Engliſh Forms of Policy and Law are introduced. The Natives no longer look upon One of their own Country and Sect as their Supreme Head, but to Europeans; nor can they act, as formerly, without our Advice and Aſſiſtance.

" It is the Part of a wiſe Government to provide againſt all Contingencies: We ought not therefore to rely upon the peaceable Diſpoſition of the Natives, or on a ſuppoſed Attachment to us; but eſtabliſh ſuch a Comptrol in all Parts of the Country, that in caſe of a Foreign Invaſion by an European Power, or of the Inroads of an Eaſtern Enemy, or the Event of Rebellion in any of our Provinces, the Payment of the Revenues may not be ſuſpended, illicit Correſpondence or dangerous Confederacies may be checked, and the Contagion of Rebellion ſhifted *.

* Sic in Orig.

" That the Servants of the Company are qualified for the Taſk I propoſe to allot to them, I may venture to pronounce. The Collection of the Revenues is in itſelf ſimple; and if it is now attended with particular Embarraſſments, they ariſe from the Syſtem which has been eſtabliſhed, or from

other

other accidental Cauſes: Common Senſe, a competent Knowledge of the Language, Application, and Rectitude of Intention, are all the Qualities required either for this, or in the Diſtribution of Juſtice. It is the Part of the Comptrolling Power to retain every Man in his Duty, and prevent the Abuſe of Authority.

" An Engliſhman cannot deſcend to thoſe little Practices of Oppreſſion or Extortion ſo familiar to the Natives; his Mind revolts at the Idea of them: And admitting even that ſome are, by Habit, Connexions, or Neceſſity, become depraved, there is, after all, in every Breaſt a Senſe of Honour and Virtue that recoils from the low vicious Arts of a Native of Bengal.

" In reverting to the Period when this Syſtem was eſtabliſhed, I cannot recollect any Objections againſt it; ſome might be drawn from the perſonal Characters of the Individuals employed; but thoſe can no more be urged againſt the Plan itſelf, than the Vices of the Prieſts can be adduced to prove the Chriſtian Religion wrong. If a Government will ſuffer Crimes and Vices to go unpuniſhed, no Syſtem can be adopted that will anſwer any good Purpoſe.

" Article 2d.

" People long accuſtomed to a deſpotic Authority ſhould only look to One Maſter. It is impoſſible to draw a Line between the Revenue and Judicial Departments in ſuch a Manner as to prevent their claſhing; and in this Caſe, either the Revenues muſt ſuffer, or the Adminiſtration of Juſtice be ſuſpended. The preſent Regulations define the Objects of the Two ſeveral Juriſdictions with Clearneſs and Preciſion; yet they claſh in Practice: Complaints are ſo blended, that it is often impoſſible to determine to which Tribunal they belong; and that there has not been more Confuſion than has actually happened, is owing to the Diſcretion of thoſe who have been entruſted with the Adminiſtration of Juſtice. Remarks.

" It may be poſſible in the Courſe of Time to induce the Natives to pay their Rents with Regularity, and without Compulſion; but this is not the Caſe at preſent. If any Force is offered, a Complaint is made in a Court of Juſtice, and whether true or falſe, a temporary Protection is given to the Complainant, who is releaſed from the Demands upon him: To realize them afterwards is no eaſy Matter.

" In all Demands for Revenues, or in Summonſes to cauſe the Attendance of Parties at the Adawluts, Peons are employed, and very often the Peons of the Two Tribunals meet at the Houſe of the ſame Man, where the Property of his Perſon is conteſted, and he is obliged to pay both Parties.

" In thoſe Diſtricts, ſuch as Boglepore, &c. where the Two Juriſdictions are veſted in the ſame Perſon, theſe Inconveniencies do not ariſe: The Duties of the Two Departments, though united in the ſame Perſon, are ſeparated in Practice; and this may ſtill be done.

" If the preſent Syſtem ſhould continue, it will be neceſſary to ſecure the Regulations for the Adminiſtration of Juſtice: In general they are very proper, but ſome few Alterations will be neceſſary; and to reduce them to the Underſtandings of the People, they require to be ſimplified.

" It has been the Fate of this Government to form good Regulations, but not to enforce them; and this gave Room to thoſe Objections, which were made againſt the Powers of the Courts of Revenue and Juſtice being exerciſed by the ſame Perſons; the Error was not in the Inſtitution, but in the Neglect of Duty.

" If any ſolid Arguments can be urged on the other Side, it is, that the Buſineſs of either Department will be found ſufficient to occupy the whole Time and Attention of one Man. It is certain he will not have much Leiſure; but I am convinced may nevertheleſs perform the Duties of both Offices to the Satisfaction of himſelf and his Superiors, by a well-regulated Method and proper Attention.

" Article 3d.

" In the Remarks on the Firſt Article, one great Advantage of this Syſtem has been pointed out; others are not wanting. Remarks.

" In the actual Collection of the Revenues, nothing is more neceſſary than to give immediate Attention to all Complaints, which are preferred daily without Number, and diſpatch them in a ſummary Manner. This cannot be done where the Comptrol is remote.

" In every Pergunnah throughout Bengal, there are ſome diſtinct Uſages which cannot be clearly known at a Diſtance; yet, in all Complaints of Oppreſſion or Extortion, theſe muſt be known before a Deciſion can be pronounced. But to learn at Calcutta the particular Cuſtoms of a Diſtrict of Radſhahy or Dacca, is almoſt impoſſible; and conſidering the Channels through which an Explanation muſt paſs, and through which the Complaint is made, any Colouring may be given to it, and Oppreſſion and Extortion, to the Ruin of a Diſtrict, may be practiſed with Impunity.

" This is a continual Source of Embarraſſment to the Committee of Revenue in Calcutta. One Object of their Inſtitution is, to bring the Revenues without Agency to the Preſidency; and all local Comptrol is removed from over the Renters who pay at Calcutta, or what is called Huzzoory; when Complaints are made againſt them, it is almoſt impoſſible to diſcriminate Truth from Falſehood; and to prevent a Failure in the Revenues, it is found neceſſary in all doubtful Caſes to ſupport the Farmer; a Circumſtance which may confirm the moſt cruel Acts of Oppreſſion.

" The

" The real State of any Diſtrict cannot be known by the Committee; a Farmer or Zemindar may plead, that an Inundation has ruined him, or that his Country is a Deſart from Want of Rain: An Aumeen is ſent to examine the Complaint; he returns with an exaggerated Account of Loſſes, proved in Volumes of intricate Accounts, which the Committee have no Time to read, and for which the Aumeen is well paid; poſſibly, however, the whole Account is falſe. Suppoſe no Aumeen is employed, and the Renter is held to the Tenor of his Engagements, the Loſs, if real, muſt occaſion his Ruin, unleſs his Aſſeſſment is very moderate indeed.

" I may venture to pronounce, that the real State of the Diſtricts is now leſs known, and the Revenues leſs underſtood, than in 1774. Since the Natives have had the Diſpoſal of Accounts, ſince they have been introduced as Agents, and truſted with Authority, Intricacy and Confuſion have taken Place; the Records and Accounts which have been compiled are numerous; yet, when any particular Account is wanted, it cannot be found. It is the Buſineſs of all, from the Ryott to the Dewan, to conceal and deceive; the ſimpleſt Matter * of Fact are deſignedly covered with a Veil, through which no human Underſtanding can penetrate.

* Sic in Orig.

" With reſpect to the preſent Committee of Revenue, it is morally impoſſible for them to execute the Buſineſs they are entruſted with; they are veſted with a general Comptrol, and they have an executive Authority, larger than ever was before given to any Board or Body of Men; they may and muſt get through the Buſineſs; but to pretend to aſſert that they really execute it, would be Folly and Falſehood.

" The grand Object of the Natives is to acquire independant Comptrol; and for many Years they have purſued this with wonderful Art. The Farmers and Zemindars under the Committee proſecute the ſame Plan, and have ready Objections to any Thing that has the leaſt Appearance of Reſtriction; all Comptrol removed, they can plunder as they pleaſe.

" The Committee muſt have a Dewan, or executive Officer, call him by what Name you pleaſe. This Man, in Fact, has all the Revenue paid at the Preſidency at his Diſpoſal; and can, if he has any Abilities, bring all the Renters under Contribution. It is little Advantage to reſtrain the Committee themſelves from Bribery or Corruption, when their executive Officer has the Power of practiſing both undetected.

" To diſplay the Arts employed by a Native on ſuch Occaſions would fill a Volume. He diſcovers the ſecret Reſources of the Zemindars and Renters, their Enemies and Competitors; and, by the Engines of Hope and Fear raiſed upon theſe Foundations, he can work them to his Purpoſe. The Committee, with the beſt Intentions, beſt Abilities, and ſteadieſt Application, muſt after all be a Tool in the Hands of their Dewan.

* Sic in Orig.

" This would never be the Caſe * in the Caſe in the Syſtem I propoſe, as the Dewan would neither be the Channel of Information nor of executing Orders; his Buſineſs would be limited.

" The ſame Objections that are made againſt the preſent Committee of Revenue may be applied to the Syſtem of Provincial Councils; it is ſufficient to ſay of them, that the univerſal Opinion, ſtrengthened by Experience, has pronounced the Syſtem fundamentally wrong, and inapplicable to any good Purpoſes.

" After all, the Government muſt conſider, that to make People do their Duty, Hope muſt be held out as well as Reward; or, in the Words of a Gentleman, formerly a Member of the Supreme Council, no Government will be ſerved faithfully that does not reward its Servants liberally.

" This is one great Defect in the Syſtem for the Adminiſtration of Juſtice; the Pay of the Judges is equal only to their Subſiſtence, and their preſent Rank is the laſt Step of the Scale. Having no Object in this Line, they have little Inducement to exert themſelves in it, but are anxious to get removed to ſome other where their Proſpects are better.

" Fougdarry Juriſdiction.—Of the Fougdarry Juriſdiction nothing has yet been ſaid. In this Department, Criminal Juſtice is adminiſtered, and it is the only Office left to the Nabob.

" I do not ſee any particular Reaſon for changing the Syſtem itſelf, and perhaps it would, on many Accounts, be improper; but ſome Regulations are highly neceſſary.

" Mahomed Reza is at the Head of this Department, and is the only Perſon I know in the Country qualified for it. If he were left to himſelf, I have not a Doubt but he would conduct it well; but he is ſo circumſcribed by Recommendations of particular Perſons, and by the Protection held out to his Officers by Europeans, that, to my Knowledge, he has not been able to puniſh them even when they have been convicted of the greateſt Enormities; and he has often on this Account been blamed where his Hands were tied up.

" The preſent Fouzdarry Syſtem, unleſs it has lately undergone great Alterations from the Controul over the Foujedars veſted in the Judges of the Adawlut, is a mere Syſtem of Rapine and Plunder, and furniſhes another Proof againſt leaving Natives with uncontrouled Power.

" What is particularly wanted is, to impoſe Checks and Reſtraints upon the Foujedarry Officers ſcattered about the different Diſtricts; and this might be done, conſiſtent with the Plan I propoſe, by lodging a Controuling Power with the Collectors over them. With reſpect to the Trial of Delinquents, that ſhould be left with the Natives alone; the Trial is always ſent to the Naib Nazim, and muſt be confirmed by him, and receive his Sanction, before the Sentence can be carried into Execution.

" I do

" I do not think it would be unbecoming the Dignity or Humanity of this Government, to procure ſome Alteration in particular Puniſhments, which are a Diſgrace to Humanity: I allude in particular to the cutting off Limbs, and impaling; the very Mention of which makes Nature ſhudder.

" As to the Mode of Controul, it might be as follows: To fix the Station of the Head Foujedar of a Diſtrict at the ſame Place with the Superintendant, and to oblige him to make a daily Report of all the Priſoners under his Charge; to order him to obey the Orders of the Collector for the Seizure of any Delinquents, and if the Crimes of the Priſoners merit Trial, to make the Foujedar deliver them over without Delay to the proper Officers for that Purpoſe; to aboliſh all Fines whatever as Puniſhments; and to reduce the Number of Petty Tannahs or Guards which are now ſcattered about the Country.

" N. B. To prevent an Abuſe which ariſes from the Pay of Peons employed by the Court, and which is made an Article of Profit, a Reſtriction might be laid upon the Foujedar not to iſſue Summonſes but under the Signature of the Superintendant.

" It was formerly the Duty of the Zemindars to preſerve the Peace within their reſpective Diſtricts, and to apprehend all Robbers and Breakers of the Peace: This cannot be done univerſally, but may ſtill be adopted in particular Diſtricts; for Inſtance, in Burdwan.

" It may now be proper to take a general Review of the Syſtem I propoſe. The Adminiſtration of Juſtice, and Collection of the Revenues of the whole Country, having been veſted in Company's Servants, appointed to the different Diſtricts, it will be neceſſary to eſtabliſh a Controul over them.

" For this Purpoſe, a Council of Controul, ſimilar to the preſent Committee of Revenue, ſhould be eſtabliſhed in Calcutta, with whom the Collectors ſhould correſpond, and whoſe Orders they are to obey. To them they are to ſend their Monthly Accounts of their Collections and Diſburſements, and remit the former to them.

" This Council ſhould be ſimply deliberative, nor have any Office of Collection itſelf: I would not allow them any judicial Authority, except merely to refer Complaints of any Kind to the Collectors.

" The preſent Court of Appeal, under the Name of Sudder Dewanny Adawlut, may ſtill continue with all its Powers; to this Court the Collectors, in their judicial Capacities, are to be ſubject, and to make their Returns to it, as at preſent.

" The Supreme Council will ſtill have a Controul over the Whole: The Committee are to ſend the Monthly Accounts to them, with their Proceedings, as at preſent, with a general Report upon the State of the Buſineſs and Conduct of the Collectors.

" Every ſubordinate Office muſt be poſſeſſed of full Authority: The Committee muſt not interfere in the Duties of the Collector, who, within his Juriſdiction, ſhould be conſidered as deſpotic.

" The Committee ſhould not decide primâ facie upon Repreſentations from the Natives, but ſhould refer them to the Collectors. It will be One Part of their Duty to hear all Complaints againſt the Collectors, and call upon them to anſwer them. The Committee, in this Caſe, muſt be ordered to lay a State of their Proceedings before the Supreme Council, who will paſs ſuch a Deciſion upon them as they think proper. In the ſame Manner, the Supreme Council will exerciſe a Controul over both.

" It is a very capital Defect in this Government, that no Syſtem is permanent. Thoſe amongſt the Natives who have Influence, are the Firſt to ſuggeſt Changes, as they muſt gain by them; but this continual Variation of Syſtem introduces Diſtruſt and Diffidence of the Government amongſt all Claſſes; it prevents all Inclination to Improvement, and makes every Man anxious to gather the Profits of his Hour, leſt a new Change ſhould deprive him of them.

" If the preſent Situation of Affairs were in any Reſpect eligible, I ſhould not propoſe an Alteration; but I am convinced it is fundamentally bad; and that the Syſtem now propoſed, admitting it to be incomplete, will in every Reſpect be infinitely better. I do not however wiſh to ſee it introduced, unleſs with a Determination of adhering to it; and if the Government will compel every Man to do his Duty, by rewarding thoſe who do execute it, and by diſmiſſing thoſe who are either incapable or negligent of the Performance of it, I may venture to pronounce, that the Syſtem itſelf will anſwer every Object intended by it.

" In taking into Conſideration the Management of the Revenues, it is neceſſary at the ſame Time to conſider the Mode of Settlement.

" It may not be practicable, conſidering the Settlement formed by the Committee of Revenue, to make any conſiderable Alteration during the preſent Year; but a Foundation ſhould be laid, and the Plan ſketched out at full, and filled up afterwards as Circumſtances admit.

" It may be pronounced, that upon the Whole, the Zemindars who have the greateſt Riches, are alſo the propereſt Perſons for the Management of the Revenues of their own Diſtricts: Some Exceptions to this as a general Rule will hereafter be pointed out.

" I therefore propoſe that the Settlement be made with the Zemindars themſelves, and that the Amount of the Jumma be irrevocably fixed during the Lifetime of the Zemindar.

" The Aſſeſſment ſhould alſo be moderate, and in that Caſe the Zemindar ſhould be compelled to pay it, taking upon himſelf all Profits and Loſſes: If the Aſſeſſment is exceſſive, there will be either a Neceſſity to admit an Abatement in caſe of Loſs, or the Lands muſt be ſold.

" The former Alternative is the beſt; and in that Caſe it might be made a Rule to ſell a Portion of the Zemindarry to make good Arrears. I would even limit a Day when this Operation ſhould take place; to the Firſt Day of the Second Month of the New Year.

" The Exceptions againſt this Rule ariſe from the Incapacity of the Zemindars, owing to Sex or Minority. Both the Zemindars of Dinagepore and Burdwan are Minors, and wholly incapable at preſent of managing the Rents of their own Diſtricts: In theſe Caſes the following Modes occur; either to appoint an Officer on the Part of Government to take the Management of the Rents, or to let the Lands to Farm.

" In the former Caſe the Perſon appointed is only anſwerable for what he actually collects; in the latter Caſe, he is reſponſible for a certain Sum.

" If proper Perſons ſhould be found for the Truſt, the former Mode appears to me preferable; and it may be adopted when the Zemindar himſelf has any near Relations capable of the Truſt: The Fear of Diſmiſſion will be ſome Reſtraint upon him.

" The latter Mode alſo has its Advantages; but theſe depend alſo upon the Choice of the Perſons. I would not abſolutely fix upon either, but adopt one or the other as Circumſtances indicate.

" In whatever Inſtances a Farmer is employed, it ought not to be for one Year, but for a Term; as he ought not to be admitted without ſufficient Reaſon, he ought not to be diſpoſſeſſed merely to make Room for another Perſon.

" Every Zemindar has Land under the Denomination of Bert, Bermooter, &c. which are Rent-free. For the Management of theſe Lands, I would propoſe that a Perſon ſhould be nominated by Government, where the Diſtrict is not left with the Zemindar himſelf.

" Under every Situation, however, the Government muſt take upon themſelves the Care of the Zemindar's Education during his Minority: Experience teaches, that this Truſt, when left at the Diſcretion of their Relations, or a Farmer, is never executed faithfully. The Conſequence is, that the Zemindars are incapable of managing their Lands at the Time they are qualified by their Age to undertake it.

" If the Government fix the Aſſeſſment, they muſt at the ſame Time fix their own Expences. It was formerly remarked, that the Habit of this Government to encreaſe its Expences was enormous. A Compariſon of the Progreſs of Expence ſince this Remark was made in the Beginning of 1776, will fully verify it.

" To conclude: If the Plan now recommended, for the Adminiſtration of Juſtice and the Management of the Revenue, take place; and if thoſe employed in it are retained in their Duty, in the Courſe of Two or Three Years, the Syſtem which is now confuſed and complicated, will become eaſy and ſimple, neither difficult to underſtand, nor embarraſſing to perform.

" With reſpect to the Expence of this Plan, it will not be ſo great as at preſent, even after fixing certain Profits for the Perſons employed, by allowing them Commiſſions upon the net Collections, which I think the propereſt Mode of paying them: But that this Matter may not be left in Doubt, the whole Detail of the Syſtem and Expence ſhould precede the Adoption of it; and this may be done eaſily. If theſe Reflections are deemed of ſufficient Weight to merit Conſideration, the Writer will chearfully embrace the Trouble of this Detail.

" N. B. Since the above Memorial was written, various Parts of the Provinces were formed into Collectorſhips and Superintendantſhips; ſuch as Raadſhai, Burdwan, Rungpore, &c. &c. &c.

The Managers for the Commons informed the Houſe, they had no more Queſtions to aſk the Witneſs.

(Croſs examined.)

Q. (*by Counſel*). When did you firſt arrive in India?

A. About the latter End of May 1769.

Q. How long did you continue there till you returned to England?

A. I remained there till February 1785, and returned to Bengal in September 1786; and I left it again in December 1789.

Q. Was you, during the Firſt Period of Time you were in India, employed in the Management of the Revenues of India, ſo as to acquire any conſiderable Experience?

A. I was.

Q. Was you acquainted with the Syſtem of Provincial Councils?

A. I was—I was a Member of one.

Q. How long was you a Member of one?

A. From about January 1775, to the latter End of the Year 1780.

Q. In the Paper which has been juſt now read, there is this Expreſſion—" The ſame Objections that are made againſt the preſent Committee of Revenue, may be applied to the Syſtem of Provincial Councils; it is ſufficient to ſay of them, that the univerſal Opinion, ſtrengthened by Experience, has pronounced the Syſtem fundamentally wrong, and inapplicable to any good Purpoſes:"—Whether you now adhere to that Declaration as containing the real Fact?

A. Moſt certainly.

Q. You

Q. You was, I believe, a Member of the Committee of Revenue at Calcutta, appointed upon the Abolition of the Provincial Councils?

A. I was.

Q. At the Time of your Appointment, was you in the Habits of private Friendſhip, or Political Connections with Mr. Haſtings?

A. I was not.

Q. Was not that Committee directed to keep regular Minutes of their Proceedings, and to do no Act collectively, but what ſhould be recorded?

A. Whether it was directed or not, I do not know; but it was certainly underſtood to be their Duty.

Q. Did they, in Effect, keep ſuch Minutes?

A. They did.

Q. Were thoſe Minutes monthly, and every Month, laid before the Supreme Council?

A. I do not recollect.

Q. (*by a Lord*). Were they laid before the Supreme Council at all?

A. They were; I believe, they were all laid before the Supreme Council.

Q. But at what Intervals you do not recollect?

A. At what Intervals I do not remember.

Q. Whether the Powers poſſeſſed by this Committee tended to inveſt the Knowledge and Inſpection of the Management of the Territorial Revenues ſolely and entirely in Mr. Haſtings?

A. Certainly not; the Proceedings were open to the Inſpection of the Council.

Q. Did the Powers poſſeſſed by this Committee, tend to deprive the Members of the Supreme Council of a due Knowledge and Inſpection into the Management of the Territorial Revenues?

A. They did not, in my Opinion.

Q. Having in the Paper, an Extract of which has juſt been now read, pointed out certain Defects in the Eſtabliſhment of the Committee of Revenue, Whether this Committee was obviouſly inadequate from its original Inſtitution, or found to be ſo by Experience?

A. I found it ſo by Experience.

Q. Was it not a Subject upon which Perſons, poſſeſſing Skill and Knowledge in the Revenue Department, might fairly and conſcientiouſly differ in Opinion?

A. I ſhould ſuppoſe there would be a Difference of Opinion upon that, as well as upon every other Subject.

Q. Has it not often happened to you, in the Management of the Revenues, that the Experience of the ſubſequent Year has induced you to correct the Opinion of the former?

A. It has; and I have recorded that as my Opinion upon the Minutes, ſince my Return to Bengal.

Q. In the Paper that has been lately read, there is this Expreſſion—"The Committee muſt have a Dewan, or executive Officer, call him by what Name you pleaſe." Whether by that Expreſſion you meant to ſay, it was a Neceſſity impoſed upon you by the Governor General and Council, or from the Nature of the Inſtitution?

A. From the Nature of the Inſtitution.

Q. Had not the Provincial Councils each a Dewan?

A. They had.

Q. Has not each Collector now a Dewan?

A. He has.

Q. Was you acquainted with Gunga Govind Sing?

A. I was, for a great Number of Years.

Q. Was he not a Perſon of much Skill and Ability in the Revenue Department; of great Experience, Skill, and Ability?

A. I believe he was not deficient either in Skill or Ability.

Q. At the Time of his Appointment to be Dewan of the Committee, all Circumſtances conſidered, do you know of a more proper Perſon to be appointed?

A. I know of no Native fit for the Appointment.

Q. If a Native were neceſſary to be appointed, could you have ſelected from among the Natives a Perſon, in your Opinion, more proper for the Office?

A. I certainly ſhould not have ſelected him by Choice; whether I could have pitched upon any other Perſon in Preference, I really cannot recollect at preſent.

Q. Then

Q. Then I underſtand, that the Name of any Perſon does not occur to you, at this Moment, as more proper than Gunga Govind Sing?
A. I certainly cannot recollect any Perſon fit for the Office.

Q. Was you acquainted with the Character of Ram Chunda Sing?
A. I was.

Q. Was he better or worſe than Gunga Govind Sing?
A. At the Time he was appointed to ſucceed Gunga Govind Sing as Dewan, I ſuppoſe you mean:—I always had a bad Opinion of Ram Chunda Sing; at that Time I had; and I have ſince continued it.

Q. Was his Character better or worſe than Gunga Govind Sing's?
A. I thought him ſo bad a Character, when I went laſt to Bengal, that I did not ſuffer him to viſit me.

Q. Was that the Opinion you entertained of him at the Time he was appointed to ſucceed Gunga Govind Sing?

The Managers for the Commons objected to the Queſtion.

Q. Whether you are well acquainted with the general State of India, and in particular with that Part of it which is ſubject to the Government of the Eaſt India Company?
A. I believe I am.

Q. Has not Property been more ſecure, and Individuals been leſs oppreſſed under the Britiſh Government, than under the Government of the Nabobs?
A. I have not a Doubt of it.

Q. Are not the Natives in general more happy?
A. I believe they are.

Q. Since the Year 1770 to the Time when you left India, had not the Agrieulture, Population, and general Proſperity of the Country encreaſed?
A. I have recorded that, as my Opinion, on the Proceedings at Bengal, and I now adhere to it.

Q. When you was laſt in India, and a Member of the Supreme Council, were the Charges againſt Mr. Haſtings in Circulation there?
A. A great many Copies of them were brought out.

Q. Was it generally known among the Natives that he was accuſed?
A. Certainly by thoſe that had Acceſs to the Europeans in Calcutta, and in other Parts of India.

Q. Were any Complaints made of the Conduct of Mr. Haſtings to the Supreme Council?
A. None that I heard of.

Q. Was the Character of Mr. Haſtings among the Natives of India, that of a mercenary, or a corrupt, or a cruel Man?
A. I believe the Natives in India entertained a very favourable Opinion of Mr. Haſtings; I never had any particular Opportunity, nor ever made any particular Enquiries on the Terms of the Queſtion; but, in general, I have reaſon to believe the Natives thought very favourably of him.

Q. Was that the Way the Natives thought of Mr. Haſtings, after thoſe Charges had been ſent out to India?
A. It was.

Q. (*by Managers.*) Whether the Charges againſt Mr. Haſtings were tranſlated into the Hindoo Language?
A. I do not believe they were tranſlated, either into the Hindoo Language, or into any other Language of Indian.

Q. Whether your Objections to the Want of a local Controul, were as applicable to the Provincial Councils as to the Committee of Revenue at Calcutta?
A. I think they were applicable to the Provincial Councils, but not in the ſame Degree.

Q. Whether you was not, while you was a Member of the Committee of Revenue, deputed upon a Commiſſion into a conſiderable Province?
A. I was Twice; once into the Dacca Diſtrict, and once into the Bahar Province.

Q. Whether, when you was deputed upon that Commiſſion, you took with you any, and what native Dewan?
A. I took no Perſon as a Dewan with me, but I took an executive Officer, Prawn Kiſhen Sing, the Son of Gunga Govind Sing.

Q. Whether,

Q. Whether, at your firſt Nomination to that Deputation, you made that Choice?
A. I do not recollect exactly when I made the Choice, but I think he accompanied me to Dacca; and it was my own Choice.

Q. Did he accompany you to Bahar?
A. He did.

Q. Without any further Recommendation than your own Choice?
A. I made the Propoſition myſelf to take him with me: I made the Propoſition to Mr. Haſtings, and he approved of it.

Q. Whether you knew any Thing of Gunga Govind Sing being the ſecret Agent of Mr. Haſtings, to take Money in the Provinces?
A. Excepting in the Caſe of Kelleram and Cullian Sing, which I heard, I have no Recollection of hearing in any other Caſe, that he was employed to take Money; neither in that Caſe did I hear that he was employed by Mr. Haſtings; but that he did take Money.

The Managers for the Commons deſired the laſt Queſtion and Anſwer might be read over.

The ſame were accordingly read.

The Witneſs ſaid,

Thoſe are not exactly the Words I made uſe of. I ſaid I heard he had taken Money in the Name of Mr. Haſtings; and when I heard it, I ſuppoſed he had abuſed Mr. Haſtings's Name for the Purpoſe of taking Money.

Q. Whether or no you are not the intimate Friend and Connection of Mr. Haſtings now?
A. I certainly conſider myſelf now as being on a familiar Footing with Mr. Haſtings.

Q. Whether you did not aſſiſt in drawing up Mr. Haſtings's Defence before the Houſe of Commons?
A. I gave Mr. Haſtings ſome Memorandums on the Revenue Charge; but, to the beſt of my Recollection, a very ſmall Part of what I gave him appears in the printed Defence, neither is that in the Words in which I gave it to Mr. Haſtings;—I ſpeak from Recollection, a very ſmall Part of it.

Q. Do you know who altered the Minutes you gave for that Defence?
A. I do not.

Q. To whom did you give them?
A. I really do not recollect at preſent whether I gave them to Mr. Haſtings, or to whom.

Q. Did you come home in the ſame Ship with Mr. Haſtings?
A. I did.

Q. Did you ſee Gunga Govind Sing on a Viſit to Mr. Haſtings in the Ship, or before he embarked?
A. I do not recollect that I did; I did not accompany Mr. Haſtings from Calcutta to the Ship.

Q. Whether you know any Thing of a Grant of Lands in the Zemindary of Dinagepore made to Gunga Govind Sing by Mr. Haſtings, or recommended to be made by Mr. Haſtings to Gunga Govind Sing?

The Counſel for the Defendant objected to the Queſtion.

Q. *(by Counſel.)* Whether any better Plan than the Committee of Revenue, as now eſtabliſhed, can in your Opinion be deviſed, for the Management of the Revenues?
A. I do not know any better Plan at preſent.

Q. You have been aſked, whether you did not conſider yourſelf as the Friend of Mr. Haſtings, and anſwered, that you were upon familiar Terms with Mr. Haſtings;—Wheth r you would continue ſo, if you thought him to be a corrupt, mercenary, or cruel Man?
A. I ſhould hope not.

Q. *(by a Lord).* You have ſpoken favourably of the Abilities of Gunga Govind Sing; upon what do you ground your Opinion of his Unfitneſs for the Office?
A. Upon Information, and my own Experience.

Q. What were your Objections to his Appointment?
A. I objected to any Native of the Country: Independant of that, I did not find him ſo zealous or ſo active as I wiſhed him to be.

Q. Did you diſcover or ſuſpect no other Defect in Gunga Govind Sing, than the Defects of Activity and Zeal?

A. I believe that any Native, in the Situation in which he was placed, would uſe his Influence for his own Advantage; and I have no Doubt Gunga Govind Sing did ſo.

Q. (*by Managers.*) Whether the Committee, that you have now declared your Approbation of, is the ſame Committee as that which was the Subject of your Minute?

A. Their Functions are exceedingly different—the local Controul is now inveſted in the Collectors, and the Office of the preſent Board of Revenue is to controul and ſuperintend the Conduct of the Collectors.

Q. Having ſaid that you heard that Gunga Govind Sing received a Sum of Money from Kelleram and Cullian Sing, at what Period did that Report come to your Ears?

A. I cannot recollect when I firſt heard it—but I certainly heard it when I was at Patna.

Q. Previous to 1782?

A. I think I left Calcutta upon that Deputation in 1783—I will not ſay I did hear it before; but I think it is probable I heard it before—I believe in September 1783.

Then the Witneſs was directed to withdraw.

Then the Houſe adjourned to the Chamber of Parliament.

Die Lunæ, 7° Junii 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons deſired Mr. Johnſon might be called in.

Mr. JOHNSON was accordingly called in, and being ſworn, was examined as follows:

Q. Whether you know of any Duplicate, or other Copy of the Letter of the 20th of January, from Patna by Mr. Haſtings, except that delivered by Major Scott?

A. I have never ſeen any other: I have Reaſon to ſuppoſe there was another Copy.

Q. You have never ſeen any other Copy than that delivered by Major Scott?

A. No.

Q. Did you ſay any Thing about your having any Reaſon to believe there was another?

A. Yes; I have had Reaſon to believe there was another, which I will ſtate: I have in my Hands the Minutes of the Court of Directors on the 27th of May 1783; it is ſaid in theſe Minutes, "The following Letters and Diſpatches were received; viz." Among them are Letters from the Governor General to the Secret Committee, dated the 20th January, 22d May, and 16th December, 1782.

(*Croſs Examination.*)

Q. From that Entry you infer, that another Copy, beſides the one preſented by Major Scott, was ſent?

A. I think ſo.—I never ſaw it.

Q. (*by Managers.*) Do you apprehend from theſe Papers which you have quoted, that there were more than One Copy beſides that brought by Major Scott?

A. It is impoſſible for me to anſwer that. I really do not know.

Q. Is there any Thing in thoſe Papers that led you to ſuch an Opinion?

A. No, neither one Way nor the other.

The Witneſs was directed to withdraw.

The Managers for the Commons ſtated, they ſhould next proceed to ſhew the Inſtitution of Aumeens.

Read, from Book 287, already delivered in, the following Extract of a Conſultation of the 1ſt November 1776.

"Fort William, the 1ſt November 1776.

"At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell, and Philip Francis, Eſquires.
Lieutenant General Clavering indiſpoſed.

Rev. Dept. Friday.

"The Governor General delivers in the following Minute.

"1ſt November 1776.

"Governor General.—In whatever Manner it may be hereafter determined to form the new Settlements of the Provinces, after the Expiration of the preſent Leaſes, it will be equally neceſ-

ſary

ſary to be previouſly furniſhed with accurate States of the real Value of the Lands, as the Grounds on which it is to be conſtructed.—To obtain theſe, will be the Work of much official Knowledge, ſome Management, and unremitted Labour; in compiling and collecting the Accounts of the paſt Collections; in digeſting the * Meterials, which may be furniſhed by the Provincial Councils and Dewans; in iſſuing Orders for ſpecial Accounts, and other Materials of Information; and in deputing Native Officers on occaſional Inveſtigations. It is impoſſible for the Board to conduct a Buſineſs of ſuch Detail; neither can it be left wholly to the Provincial Councils: It requires Uniformity in the Deſign, Authority in the Execution, and an extraordinary Share of Reſponſibility to animate the Zeal of thoſe who are entruſted with the Charge of it.

* Sic in Orig.

" I therefore propoſe, That a temporary Office be conſtituted, to execute this Buſineſs, under the Conduct of One or of Two Covenanted Servants of the Company, aſſiſted by a Dewan, and other Officers, either ſelected from the Offices of the * Calſa, or occaſionally choſen for ſpecial Commiſſions: That, for the Sake of Diſpatch, all Orders iſſued from this Office, for the Execution of ſuch particular Services as ſhall have received the general Sanction of the Board, be written in the Name of the Governor General; and the Controul of it be committed to his immediate Charge.

* Sic in Orig.

" Beſides the immediate Duty of this Office, which I have above deſcribed, and which I ſuppoſe to be indiſpenſably neceſſary and eſſential to the Formation of an equal Settlement, many other Points of Enquiry will be alſo uſeful to ſecure to the Reiotts, the perpetual and undiſturbed Poſſeſſion of their Lands, and to guard them againſt arbitrary Exactions; this is not to be done by Proclamations and Edicts, nor by Indulgencies to the Zemindars and Farmers: The former will not be obeyed, unleſs enforced by Regulations ſo framed as to produce their own Effect, without requiring the Hand of Government to interpoſe its Support; and the latter, though it may feed the Luxury of the Zemindars, or the Rapacity of the Farmers, will prove no Relief to the Cultivator, whoſe Welfare ought to be the immediate and primary Care of Government.

" The Deſign of eſtabliſhing new Pottahs for the Reiotts, the Failure of which has been often objected to as a Reproach on the late Adminiſtration, has been tried with equal ill Succeſs by the preſent, in their late Settlement of Burdwan, where, notwithſtanding the ſolemn Engagement of the Zemindar, and the peremptory Injunctions of Government, not a Pottah has yet been granted (if my Information is true, and it may be eaſily proved), nor will be granted, of a different Tenure from thoſe which have been cuſtomary for ſome Years paſt, unleſs more regular Means are taken to produce them: Future Effects may be concluded from ſuch ſimple Cauſes, without the Spirit of Prophecy. It is the Intereſt of the Zemindar to exact the greateſt Rent he can from the Reiotts; and it is as much againſt his Intereſt to *fix* the Deeds by which the Reiotts hold their Lands and pay their Rents, to certain Bounds, and Defences againſt his own Authority; the Foundation of ſuch a Work muſt be laid by Government itſelf. All that I would here propoſe is, to collect the Materials for it, by obtaining Copies of the preſent Pottahs, and of the Nerrie Bund, or Rates of Land, by which they are regulated in each Diſtrict, and every other Information which may throw a Light on this Subject, and enable the Board hereafter to eſtabliſh a more permanent and regular Mode of Taxation.

(Signed) " Warren Haſtings.

Signed at the End, " Warren Haſtings,
J. Clavering,
R^d. Barwell,
P. Francis."

To ſhew the Perſons that were appointed, read, from the ſame Book, the following Extract of a Conſultation of the 12th of November 1776.

☞ [" Fort William, the 12th November 1776.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell, Philip Francis, } Eſquires.

" Extract of Fort William Revenue Conſultations, 12th November 1776.

" The Governor General recommends the following fixed Eſtabliſhment for the Office propoſed in his Minute of the 1ſt inſtant.

" Eſtabliſhment for the Office.] ☞

§ (" Mr. David Anderſon, " Mr. George Bogle,	Superintendants, at 1,200 Rupees each per Month	2,400
" Perſian Tranſlator	— — — —	200
" Writers	— — — —	300
" Office Rent	— — — —	400
" Candles and Petty Charges	— — — —	50
		" 3,350") §

[" Native Officers.

A Peſhkar (Gunga Govind Sing)]

(" A Naib	250
" A Sheriſhtahdar	100
" 5 Perſian Moherirs a 50	250
" 5 Bengal Moherirs a 40	200
" 2 Moonſhies	150
" 2 Ditto	60
" A Head Moherir for tranſlating	100
" 2 Under Moherirs	80
" A Mirdha	20
" 10 Peons	40
" A Jemadar	15
" 10 Hircarrahs	50
" 2 Dufterbunds	10
" 2 Fraſhs	8
" A Muſſaulchy	5
" A Jarro	3
" Oil, Candles, &c.	30
" Paper, Pens, &c.	100
	" 4,821

" Occaſional Aumeens and other incidental Charges; theſe cannot be fixed nor eſtimated. He " has affixed the Names of the Gentlemen whom he wiſhes to be nominated to the Superin- " tendency of this Eſtabliſhment, becauſe he conſiders them as eſſential Parts of it, having made " Choice of them as Perſons endowed both with Talents, and Knowledge peculiarly adapted to " the Duties aſſigned them, and on whoſe Diſpoſitions he can entirely depend for their cordial " Agreement with each other in the Diſcharge of them. He recommends Mr. Henry Vanſittart " to be the Perſian Tranſlator; he alſo recommends, that the Office of Peſhkar be aſſigned to " Ganga Govin Sing, the Naib Dewan of the Khalſa, and that he be allowed 700 Rupees per " Month for his Salary as Naib Dewan of the Khalſa only; none having been yet allotted to that " Station.

" The known Abilities of Ganga Govin Sing, will juſtify the Preference ſhewn to him in this " Appointment. The Buſineſs in its Detail muſt be conducted by a Peſhkar. The Gentlemen to " whom the Governor General propoſes to commit the Direction of it will think it no Derogation " from their Characters, of which no Man can have an higher Eſtimation than he has, or a more " perfect Reliance on their Integrity, if he expreſſes it as his Opinion, that the greateſt Expe- " rience which can fall to the Lot of any covenanted Servants of the Company, will prove " unequal to the minute Inveſtigation of all the progreſſive Operations of the Revenue in this " Country, without the Aid of that profeſſional Knowledge which is poſſeſſed by the native Mut- " taſeddies of Bengal, of whom Ganga Govin Sing is inconteſtably the Firſt.

" For the Reimburſement of the Charges of this Office, ſhould the Amount prove ſo conſiderable " as to require it, a ſmall Fee may be taken on each Aumeelnama, or Cabuleeat to be granted in " the future Settlement, which will not effect the Jumma, nor be felt at ſuch a Time by thoſe " who will be required to pay it.

(Signed)

" Warren Haſtings.

" Mr. Barwell.—I approve.

" Mr. Francis.—My Objections to the Meaſure itſelf have been ſtated at large. As they have " been overruled by a Reſolution of the Board, I ſhall make no others.

" Reſolved, That the Office be eſtabliſhed, and the Appointments made as propoſed by the " Governor General. Reſolution.

" Ordered, That the Secretary adviſe Meſſrs. Anderſon and Bogle of their Appointments.

" Mr. Barwell delivers in the following Minute.

" Mr. Barwell.—I aſſent to the Governor General's Minute. A Compilation and Digeſt of Ma- " terials whereon to form a new and permanent Settlement of the Provinces muſt be uſeful, and is, " in my Opinion, unavoidable. The laſt Leaſes have furniſhed the Means which will give an " Inſight into the real Value of the Lands; but theſe Means are not yet in our Poſſeſſion, and " may ſtill leave ſomething for compleater Diſcovery, and for the Guidance of a Deciſion on which " the Proſperity of an extenſive Kingdom, for a conſiderable Period, is probably ſuſpended; no " Reſearches can be too minute, no Informations too voluminous. I ſee my own, and I ſee the " Situation of every Member of Council to be equally delicate upon this important Affair; an " Affair liable to be viewed in various and even oppoſite Lights, and to be canvaſſed in every Step " of

Mr. Barwell's Opinion on the Office for preparing Materials for the New Settlement.

" of its Progreſs. The grand Object in which all our Sentiments unite, and to the Neceſſity of " which we all ſubſcribe, is a ſolid Eſtabliſhment of the Revenues upon an abated Taxation; but " it is not my Opinion, in ſupport of Mr. Francis or of any other Member of Adminiſtration, that " will impreſs a Conviction of this Neceſſity upon the Minds of thoſe whoſe diſtant Situations debar " them from all Poſſibility of perſonal Obſervation.

" My own Sentiments, it is true, are clearly for a Reduction of the Revenue, as abſolutely re- " quiſite for the future Welfare of this Country; and while I heartily coincide with Mr. Francis in " moſt of his general Ideas upon this Subject, ſo far as they claſh not with the peculiar Cuſtoms of " Bengal, I think they may well be reconciled to the Inveſtigations propoſed by the Honourable " Governor, and that our Judgement in ſo intereſting a Buſineſs ſhould be formed upon the beſt " Principles of Accuracy.

" To ſet this Matter in the cleareſt Point of View, let us conſider it from the Governor's Pro- " poſition for the Inſtitution of a temporary Office. A new Settlement of the Provinces will be " neceſſary upon the Expiration of the preſent Leaſes: We are unanimouſly agreed, that a fixed " Valuation ſhould take Place in the Revenues, and that ſome Diminution ſhould be made in the " preſent Rents: Laſtly, we propoſe that this important Settlement ſhould be permanent. On ſuch " a Step, we would ſurely endeavour to convince the Company, whoſe Agents we are, and whoſe " Proſperity is blended with that of this Country, that we have not negligently ſlumbered over " their Intereſts, or omitted any poſſible Mode of aſcertaining the true and ultimate Value of their " Poſſeſſions. Nor is this all: We would convince them deciſively, that no future Adminiſtra- " tion may have the ſmalleſt Opening to hint that deeper Reſearches might have produced a more " equal and equitable Syſtem for the Natives, and a more advantageous Bargain for our Em- " ployers. Another good Effect to which we ſhould turn our Thoughts is, that of rendering the " Bulk of the People well affected to Government; an Attempt which can never ſucceed but in " their ſteady Reliance on its Impartiality; and with all Deference to the High Authorities quoted " by Mr. Francis, and in Concurrence with them; I will venture to affirm, that an equitable " Taxation is the great Deſideratum, and ſhould be the firſt Object of a good Government; and " that ſuch an Attention to the Welfare of the Peaſant and the Manufacturer, is the Ground-work " of a well regulated State.

" The firſt Improvements of the Revenues, and Relief of the laborious Part of the Kingdom in " France, were projected by the great Duke of Sully upon the ſame Principles, and brought to " Effect by an Application of the very ſame Means as thoſe now propoſed by the Governor Ge- " neral. He commenced with a moſt extenſive and arduous Collection of minute Details in that " Branch; and, from mature Conſideration of thoſe detached voluminous Materials, detected every " Species of Artifice and Fraud committed by the Farmers, and employed the Reſult of his Diſ- " coveries towards lightening the Burthen upon the Shoulders of the Commonalty.

" We now wiſh to ſhake off all rival Adventurers, and, inſtead of farming, to fix the Rates of " Lands with the ſeveral old Zemindars, wherever it can be done with a Probability of Succeſs. " This Mode of Settlement, though it has certainly many Advantages, is yet liable, under certain " Circumſtances, to very ſtrong Objections, ſome ariſing from the Zemindar himſelf, as his " Minority, or total Incapacity for Buſineſs, and ſome from the Nature of the Lands: Beſides, " as the preſent propoſed Syſtem muſt preclude all Competition of Candidates for the ſame " Lands, by granting them to their hereditary Proprietors, it neceſſarily opens a large Field for In- " dulgence and Partiality, to which the former Mode of Settlement precluded all Acceſs, by allow- " ing the indiſcriminate Tender of Propoſals. For which Reaſon it is clearly my Opinion, that " our Employers will but faintly co-operate with our Meaſures, or ratify our Deciſions, if we " appear to have haſtily employed the Informations gained from the temporary Engagements, " which they may poſſibly think imperfect, as Materials for our own more laſting Eſtabliſhment, " eſpecially while we had in our Hands the Means of procuring more accurate Knowledge, and " while we were timely warned by the firſt Member of the State to exert them.

" Therefore, when we propoſe a more impartial, and at the ſame Time a reduced Taxation, " the leaſt we can do is ſurely to give the Company ſatisfactory Reaſons for this Drawback upon " their Income, and ſufficient Evidence that the impoveriſhed State of the Country loudly pleaded " for ſuch an Abatement. A Propoſition of this Nature does not carry ſelf-evident Conviction " upon the Face of it, but muſt be ſupported by Argument, confirmed by Experience, and eſta- " bliſhed upon Proofs, by which the preſent Exceſs of the Taxation may be made to ſerve as a " Reaſon, and as the Authority for our Admiſſion of a Decreaſe. The moſt probable Method " of acquitting ourſelves by theſe Proofs, is offered to us by the Governor General, in the Pro- " poſal of gaining the moſt accurate poſſible Accounts of the Payments actually made by the " Huſbandmen, excluſive of its being eſſential to the Relief which it may be neceſſary to give " them, before Government can venture to expect any adequate Advantage from fixing the Re- " venue. Add to this, that there ſeems but ſmall Occaſion for doubting the Authenticity of the " Materials to be procured; collateral Informations will always ſerve as a Check upon each other, " while every Man is actuated by a ſeparate and peculiar Motive, or ſo long as there remains a " divided Opinion in the World.

" I am likewiſe perſuaded that Adminiſtration cannot have a more important Topic of Diſ- " cuſſion, or Object of Action, than to define and ſecure the Rights of the People: And in this

" Country,

" Country, where all territorial Property centers ultimately in Government, and where the Zemindar holds his own Lands but by a Pottah, the ſame Tenure by which his under Tenants holds them again from him, I think the public Eye ſhould have a Watch upon thoſe as well as the former, and that it would tend as much to the Intereſt of the State, as to the Satisfaction of the greater Number of Inhabitants, that all Pottahs ſhould be equally well defined, and be guaranteed from all Violation with an equal Authority.

" Perſonal Property ought as much to be ſacred in the Pittance of the Poor, as in the Poſſeſſions of the Rich; and as I have ſaid, " The Welfare of the Huſbandmen and Manufacturer is the Groundwork of a well regulated State," it follows, that I deem it to be the firſt Object of this Government, to fence and ſecure the Ryots againſt the arbitrary Power of their Zemindars; otherwiſe, no one Regulation we may reſolve on can, in its immediate or remote Conſequences, anſwer the beneficent Deſign for which it was formed. The Wealth of every Country is to be found in the Wealth of the Commonalty alone, eſpecially in this Country, where the peculiar Manners and Superſtitions of the higher Claſs, either influence them to ſecrete their Acquiſitions, to diſſipate it in religious Endowments out of the Provinces, or in the oſtentatious Folly of giving daily Food and Subſiſtence to a Number of idle Dependants, who by ſuch Means are totally ſeparated from the Bulk of the People, and who muſt otherwiſe have been uſefully employed in the Manufactures and Cultivation of the Country. I acknowledge the Taſk is extremely difficult and arduous; but, unleſs the Rights of the common People are well defined and well ſecured, I am perſuaded all our Speculations will only tend to enrich the Zemindars, and either lock up in their Hands a large Portion of the current Specie, or divert it to the moſt pernicious Purpoſes, and precipitate that very Decay we are endeavouring to guard againſt.

" The Secretary lays before the Board the following Minute received from the General on the ſame Subject.

" General Clavering.—I have peruſed with Attention the Governor General's Minute of 1ſt inſtant, and confeſs myſelf at a Loſs for Words to expreſs my Aſtoniſhment at ſuch an Attempt to wreſt out of the Hands of the Council ſo important a Branch of the Adminiſtration of this Country, as the Ordering, Management, and Government of all the territorial Acquiſitions of the Kingdom of Bengal, &c. veſted in them by the late Act of Parliament, of which I hold it a direct Breach, being a moſt illegal Uſurpation of the Powers conferred by that Act upon the united Members of this Government, and, as ſuch, I moſt ſolemnly proteſt againſt it.

General's Opinion on the Office for preparing Materials for the new Settlement.

" If, to elude this Proteſt, it ſhould be ſtated, that the Object of the Meaſure proteſted againſt is only to collect Materials for future Management, and not to uſurp the Ordering or Management itſelf, let me aſk; Why at this Time, when it is notorious that the Government of this Country is, in Fact, veſted in the Governor General and Mr. Barwell excluſively, though nominally and deſcriptively in the Governor General and Council, that the Governor General ſhould propoſe to have all Orders written in his own Name, and the Controul committed to his immediate Charge? Again; will not the Orders to be iſſued by the Governor General throughout the Provinces ſuſpend the Action of all the other Orders given by the Governor General and Council, or their Delegates, the Provincial Councils, by virtue of the Independent Powers now required to be given to him? And will not the Exiſtence of ſuch Authority, unlimited both in Duration and Extent, deprive the other Members of Adminiſtration of the Power of taking any further Steps in the Ordering and Management of the Revenues for the Purpoſe of forming the new Settlement, although legally indiviſiby conferred upon the united Body of the whole Council; and then, will not this Suſpenſion, in Effect, amount to an Uſurpation of a ſeparate Management, or Sole Controul, which I proteſt againſt?

By the 22d Article of the Regulations of the Committee of Circuit, Orders are to be ſent through the Channel of the Board of Revenue to the Collectors.

" Independent of this, the Plan of eſtabliſhing an Office under the immediate and ſole Controul of the Governor, in order to be furniſhed with accurate States of the real Value of the Land; or, in other Words, once more to inveſtigate them for the probable Purpoſe of forming a new Settlement at the Preſidency, to be executed by ſuch Powers, and entruſted in the Hands of ſuch Agents, as will be employed, appears to me incompatible with the Rules of the former Adminiſtration of the Revenue, with the Conſtitution of the Offices already eſtabliſhed under the Preſidency, and indeed, with every political Principle that ſhould regulate a wiſe Government; in ſhort, ſolely tending to diſturb the Minds of the People, and to throw the whole Syſtem of the Adminiſtration of the Revenue into Confuſion. All the Miſchiefs of the Committee of Circuit will be renewed by the unjuſtifiable Hopes it will hold out, of acquiring Wealth by obtaining Farms, diſtributed under the Influence of this new created Office. The Country will flock to the Preſidency, and Europeans and Natives will all croud the Governor's Levees in Expectation of ſharing a Part of the Plunder.

Article 3d: The Farms and Uſages peculiar to each Diſtrict, and the preſent and improveable State of their Lands, require a local Inſpection: they cannot be known with any Degree of Certainty by remote Obſervations, or the intereſted and ſuperficial Scrutinies of the Natives; a Part of the Adminiſtration itſelf being on the Spot, will run leſs Hazard of being deceived in Intelligence, or diſappointed in their Inveſtigations; they will be better able to hear and redreſs any Grievances which the Inhabitants may prefer to them, and to form ſuch particular Regulations as may be neceſſary for the Exigencies of each Diſtrict, or even to ſuperadd others to thoſe, which ſhall be generally and previouſly reſolved on.

" It is difficult to gueſs by whom a Project, ſo big with Miſchiefs, could be deviſed. I am told the Natives, however, aſcribe it to Cantoo Baboo, the Governor's Banyan.—He had been abſent for more than a Year from the Preſidency. He was no ſooner returned, than the Plan

" made its Appearance; 'tis true he is more intereſted than any Body in concealing the actual Col-
" lection of his Farms, and in ſecreting the Value of his Talooks, which he holds as an In-
" heritance.

" Whether or not I have aſcribed the Project to its proper Owner, and have accounted rightly
" for his Intention in it, it is moſt certain that it will be carried on and managed under his
" immediate Influence, and that he will have the Appointment of all the Native Officers
" under it.

" The firſt obvious Meaſure of the new Office muſt be to eſtabliſh their own Power, and
" that of their Agents, throughout the Provinces; and with what Moderation they will exerciſe
" that Power, countenanced and ſupported as they will be, I leave to Mr. Haſtings's Knowledge
" of the Character of the People to determine.—He can well judge whether they are likely to
" be diſintereſted in taking the Moffuſil Accounts, and not ſhewing Favour where they are
" moſt rewarded. He can determine whether they are not likely to diſturb the preſent Collec-
" tions, and whether, in that Caſe, the Failure of the preſent Year's Revenue is to be imputed to
" the Meaſures of the late Majority, or to the Appearance of ſo many rapacious Agents in the
" Diſtricts. I think it cannot be doubted but that, when it is ſo much the Intereſt of the Ryott
" to conceal his Property, that it is not likely he will withhold a Tribute to the Agent to ſecure
" himſelf againſt a perpetual Taxation.

" The Governor General muſt know the Neceſſity there is of holding the Poonah in April for
" the new Settlement, and for that Purpoſe, that at leaſt Two Months previous Notice ought to
" be given of the Intentions of Government in forming it; and he ought therefore to be aware
" of the Shortneſs of the Time, and how improbable it is that theſe Agents, even ſuppoſing they
" were not to be diverted from the Object of their Miſſion by the Honour and Lucre of their
" Employ, it will be for them to go through an accurate Inveſtigation of the Accompts of each
" Village in ſuch a ſhort Period.

" Upon a Suppoſition however that they had over-run the Country, and collected together the
" Accompts, ſuch as they may be ſuppoſed to be under ſuch Management, then there ſtill re-
" mains the Inconvenience of concentring in the Governor General all the Information which may
" be obtained by their Enquiries.

" If the Eagle Packet, which the Company acquainted us would ſail in June laſt, ſhould arrive,
" and bring out Orders that ſhould obſtruct the Governor General in the Purſuit of his Plan, juſt
" at the Time when it may be ripe for Execution, the Council, unacquainted with the whole Plan,
" will neither be able to complete it, nor to adopt any other.

" Next as to the Expence, if that can be allowed to be a Conſideration, when ſo great a Benefit
" is in Contemplation, the ſmall Part of it already fixed amounts to 5,000 Rs per Month, and for
" the Reſt, the Governor himſelf does not even venture to throw a Gueſs at what it may amount
Article 12th. Regulations. All Mahtoots to be aboliſhed. " to; but this he deems immaterial, as he readily obviates the Difficulty, by the old Plan of
" levying it upon the Country by a Mahtoote, which he concludes it will be able to bear, forget-
" ting how far the Remiſſions he has lately found neceſſary to make of the whole Amount Ba-
" lances of the Kiſnagur Rajah, and others, will ſupport that Opinion. But not to diſcuſs a
" Point ſo evident, let me aſk, whether any Payment from the Country inſtead of the Treaſury
" can be a Saving to the Company, one being ſupplied from the other, and both equally their
" Property?—But Arguments upon Savings are vain, when the Neceſſity of an Expence is ſo
" urgent as in the preſent Inſtance. Having no Eſtabliſhment of local Agents already in Pay and
" Authority, from whoſe long Reſidence and Experience we can expect the required Information,
" it follows, that new Powers and new Expences muſt be framed to effect it.

By the 7th Article of the Proceedings of the Committee of Circuit, the following Offices are to be eſtabliſhed for conducting the Buſineſs of the Khalſa according to theſe Regulations.

1ſt. Roy Royan's Office.

To this Office all Accounts, Statements, and Papers whatever are to be firſt tranſmitted, and from thence diſtributed to the proper Office, after having been received by the ſuperintending Member of the Khalſa, and the Roy Royan.

" And had the Committee of Circuit (whoſe Regulations the
" Court of Directors have enjoined us to conſider as ſtanding
" Orders) not appointed a Roy Royan, a Superintendant of the
" Khalſa, and an Accomptant General for the Purpoſe of digeſt-
" ing, and reporting upon all Moffuſſil Statements and Accounts,
" the Governor General might have urged, that the Board being
" inadequate to the Labour of digeſting them, a new Office was
" neceſſary.

" I will only add, that, by the preſent Plan, all former Arguments of the late Majority againſt
" the Committee of Circuit ſtand not only confirmed, but redoubled by this Self Condemnation.—
" What the penetrating Eye of the moſt experienced and oldeſt Servants (all Members of the
" Council, with the Governor at their Head) themſelves upon the Spot, with the whole Power of
" Government in their Hand, could not attain a true Inſight of, and this ſince corrected, and diſ-
" cuſſed by Five Years Collections, is yet to be ſought for, and now to be expected, at the Diſtance
" of ſome Hundred Miles, by Two Junior Servants, One of whom is barely out of his Writer-
" ſhip, above One Year of which he was abſent from the Country.

" If a new Inveſtigation is now neceſſary, I can ſee no Point of it that cannot be as effectually
" compaſſed, and even much more ſo, by the Provincial Councils; a natural unalarming Chan-
" nel, without Expence, and without any unnatural Medium, or unconſtitutional Authority—
" Whereas, the new Plan is directly the contrary, and will poſſibly be totally thwarted (at leaſt in
" the Attainment of any Good) in the very firſt Outſet, by the univerſal Alarm, ſo excentric a
" Motion will create, and muſt continue to cauſe.

" Mr.

" Mr. Francis has more fully anſwered the Particulars, wherein chiefly coinciding, I forbear " Repetitions, excepting to the Circumſtance of the Pottahs, upon which I will only ſay, that if " they have not yet been iſſued, although ordered Five Years paſt, the Governor General muſt " look to himſelf for the Blame; for had he exerted his Authority, when the Committee was upon " the reſpective Spots, or had he not by himſelf, and the Influence of his executive Powers, and " the Counteractions of his Dependants, thwarted our Attempts to effect it, they would not now " remain to be diſcuſſed in a new Plan; and, conſidering the preſent Conſtitution of the Govern- " ment, I cannot, with Mr. Francis, flatter myſelf with Hopes of Succeſs in the Accompliſhment " of our late Orders to Burdwan upon this Subject.

" In one Point further I differ with Mr. Francis; my Objections to this Meaſure not depending " on Opinion, but being made directly to its Illegality, I cannot ſtrain my Senſe of Duty to pro- " miſe, as he does, that I will ſupport it when it is reſolved to be carried into Execution.

" In the Appointment that the Governor General has made of Officers to fill the new Office, he " has very particularly ſet forth the Merits of Gunga Govind Sing, whom he had, but a few Days " before, reſtored to his Office of Duan to the Calcutta Committee, as if the Office of Right be- " longed to him; it muſt be remarked however, that the Governor General has been very guarded " in not adding official Probity in the Encomiums which he has ſo liberally given to him; it is " very well known that he was diſmiſſed from his Office on an Accuſation of Cumaul ul Deen " Cawn, whoſe Teſtimony the Governor General cannot but admit, particularly as the Fact has " been eſtabliſhed in the Supreme Court, on the Trial of Mr. Fowke, that he Gunga Govind Sing " had taken from him Twenty-two thouſand Rupees colluſively for certain Purpoſes, and for " which he was to allow Comaul ul Deen to run a certain Quantity of Salt.

" As the Duties of the new Office muſt neceſſarily engage the whole Time of this Miniſter, it " would have been reaſonable, when the Governor General thought proper to appoint him Peſhcar " at the Khalſa, with a Salary of Seven hundred Rupees a Month, that he would have been " pleaſed to have taken into Conſideration, that it will be impoſſible for this ſame Man to per- " form ſo many various Duties, together with thoſe belonging to his Office of Duan to the Cal- " cutta Committee; which Office will probably be totally neglected if ſome other Man is not " appointed to ſuperintend it.

" The Governor General delivers in the following Reply to Mr. Francis's Minute of the 5th " inſtant.

" Governor General.—I am thankful to Mr. Francis for the Promiſe which he has given me of " his Aſſiſtance in promoting the Arrangements which may be formed for the new Settlement, even " though they may not be ſuch as he approves. After ſuch an Aſſurance, even his Objections to " the Office which I have recommended for that Purpoſe, have a Claim to my Acknowledgments; " and I hope to benefit by his Aſſiſtance, more cheerfully given, when he ſhall diſcover that our " Objects are the ſame; and that though we do not agree in our Opinion of the Means which I " have recommended, yet the Difficulties which he apprehends in the Execution of them, are not " only ſurmountable, but ſuch as have always yielded to the ſame Mode of Inveſtigation, con- " ſtantly and ſucceſsfully practiſed under the Mogul Government.

" When I recommend the Inſtitution of an Office for compiling the Materials which were neceſ- " ſary for the new Settlement, I meant no more than to ſhew the Neceſſity of it, and to propoſe the " ultimate Objects of its Reſearches. It was as foreign from my Purpoſe, as it would have been " premature, to mark out every Stage of its Progreſs, which, from the Nature of it, muſt be ſub- " ject to Variations, or to determine either the preciſe Mode, or Amount of the Settlement, which " it was the profeſſed Deſign of this Inveſtigation to aſcertain.

" For the Satisfaction however which Mr. Francis requires, I will endeavour to give him a fuller " Explanation of the Deſign of the Office which I have recommended, and of the Detail of Buſineſs " which is to be, or may be, aſſigned to it.

" I have already ſaid, that the general Deſign of it was to obtain an accurate State of the real " Value of the Lands, as the only Ground Work on which the new Settlement could be conſtructed; " I mean, on which it could be conſtructed, ſo that the Burthen of the Public Revenue ſhould reſt " with an equal Weight upon the whole Body of the People.

" On this Subject Mr. Francis's Minute contains two Propoſitions.—Firſt, that the Inconveni- " ences of an unequal Aſſeſſment ought not to be regarded; and next, that thoſe Inconveniencies do " not admit of a Remedy.

" More uſed to the Practice of Buſineſs than to Speculation, I beg to be excuſed from diſcuſſing " theſe Propoſitions as general and abſtract Queſtions; and inſtead of conſidering them as Principles " which are equally applicable to any Country, I wiſh to confine them merely to the Revenue of " Bengal.

" The Opinions of Monteſquieu, Sir James Stewart, and Doctor Smith, which are produced to " ſhew that an unequal Aſſeſſment is attended with few or no Inconveniences, may be juſt as to " thoſe Countries where the Land Tax bears but a ſmall Proportion to the Amount of the Produce; " and any Attempt to alter the Proportions of a Land Tax which have been eſtabliſhed by ancient " Cuſtom, might, as they ſuppoſe, give Riſe to thoſe Diſcontents, which, amongſt a high ſpirited " People, every Innovation is apt to excite; but the Caſe is very different in Bengal.

" Let

" Let us ſuppoſe, for Inſtance, that in England the Proportion of the Rent of Land taken by " Government is a Fifth Part, and in ſome Places, from an Inequality in the Aſſeſſment, amounts " only to an Eighth Part.—In the Firſt Caſe, the Proprietor after paying the Tax will have Four " Fifths or Sixteen Shillings in the Pound, and in the laſt Seventeen Shillings and Sixpence, to " himſelf. But in Bengal Nine Tenths of the Nett Produce, or Eighteen Shillings in the Pound, " are generally ſuppoſed to belong to Government, and the remaining Tenth to be the Property of " the Landholder; or in other Words, a Zemindar whoſe Land produces 1,00,000 Rupees pays " 90,000 to Government, and has a Right to retain the remaining 10,000 to himſelf; but ſhould " this Land happen to be rated at 1,05,000 Rupees, or only One Twentieth Part above its Value, " then inſtead of 10,000 Rupees, the Poſſeſſor would receive only 5,500 Rupees, or little more " than One Half of his juſt Income; while another Man who inherits a Zemindarry of equal " Value, but which is reputed to be worth only 95,000 Rupees, or One Twentieth Part under- " rated, will inſtead of 10,000 Rupees enjoy an Income of 14,500 Rupees. Thus the Inaccuracy " of a Twentieth Part in the Valuation, more or leſs, will render the Eſtate of one Zemindar " almoſt Three Times more profitable to him than that of another, whoſe Lands are of equal " Value; and this operates not only as an Inconvenience, but as a heavy Oppreſſion.

" It is eaſy to ſhew, that the unequal Valuation of Lands in Bengal is productive of this Evil, " and that while ſome Landholders, after paying their Rents, retain enough to live in Eaſe and " Affluence, others are reduced to Beggary, and unleſs the Mercy of Government interpoſes to " ſave them, their Eſtates are ſold to make good the Portion of Revenue which has been arbitrarily " aſſeſſed upon them. The Truth of this Fact is eſtabliſhed by the Diſpoſal which has been made " of Zemindarries on the Diviſion of Dacca, by the Sale which was propoſed of the Rajah of " Nuddea's Lands, by the Number of wealthy Farmers who have been ruined in the Bahar Pro- " vince, and by the Sale of Talooks lately made by the Council at Moorſhedabad.

" Nor is any Alteration in the Aſſeſſment likely to produce Diſcontents, becauſe it will be no " Innovation. The ancient Tumar and Tuckſeem, or Diſtribution of the Land Rent which was " formed about Two hundred and twenty Years ago, has long ſince ceaſed to ſerve as a Rule: " Under the old Government, this Diſtribution was annually corrected by the Accounts, which " the Zemindars and other Collectors of the Revenue were bound to deliver into the Office of the " Canongoes or Kings Regiſters, of the encreaſed or diminiſhed Rents of their Lands, and of the " Amount of their Receipts.—But the Neglect of theſe Inſtitutions, the Wars and Revolutions " which have ſince happened in Bengal, the Inundations of Rivers, the Encreaſe of Cultivation in " ſome Parts of the Province, and the Decreaſe in others, and the unequal Depredations of the " Famine, have totally changed the Face of the Country, and rendered the Tumar Rent Roll " a mere object of Curioſity. The Land Tax has therefore been collected for theſe Twenty Years " paſt upon a conjectural Valuation of the Land, formed by the Amount of the Receipts of former " Years, and the Opinions of the Officers of the Revenue; and the Aſſeſſment has accordingly " been altered almoſt every Year.

" Having thus ſhewn that the preſent Aſſeſſment is unequal, that the Inequality is productive " of great Evils, that it is fluctuating and annual, and that therefore any Alteration in the Diſ- " tribution of it, is not likely to occaſion Diſcontents, I hope that Mr. Francis will ſee with me " the Expediency and even Neceſſity of obtaining an accurate State of the Value of the Lands, to " enable us to lay the public Revenue with an equal Weight throughout the whole Province. " Conſiderations of the ſame Kind, though not ſo weighty as thoſe I have mentioned, induced the " moſt free People in the World to adopt a ſimilar Meaſure, and in the Year 1692 all the Lands " in England were valued anew.

" Mr. Francis's Second Propoſition is, that the Inconvenience of an unequal Aſſeſſment is not " capable of a Remedy, becauſe it is impoſſible to obtain an accurate Valuation of the Lands. I " confeſs the Attempt is not unattended with Difficulties; but as I have been led to propoſe it " from a Conviction of its Neceſſity, I truſt, if I am ſupported by the Board, to be able, in a " great Meaſure, to ſurmount them. I will not pretend to fix with Preciſion the Means by which " this Deſign is to be proſecuted. Theſe muſt, in a great Meaſure, ariſe out of the Buſineſs in " its Progreſs; but by pointing out ſome of the principal Sources from which I expect to derive " Materials, I hope to ſhew that the preſent Juncture is peculiarly favourable to the Attempt, " and that the Work is not undertaken without a fair Proſpect of Succeſs.

" An accurate Valuation of the Lands is to be made either by an actual Survey and Meaſure- " ment, or from the Accounts of the Land Rents. The firſt Mode is too tedious, expenſive and " uncertain to be adopted. I would propoſe to make Trial of the ſecond. The Accounts of " Revenue in Bengal are kept with a Regularity and Preciſion unknown in Europe. They are " drawn out, I underſtand, nearly on one uniform Plan, and are balanced and adjuſted at fixed " Periods. A ſeparate Account Current (or Kurca) is kept for every Reiat or Tenant, in which " the different Articles which compoſe his Rent for one Year are ſtated on the one Side, and the " Payments which he makes are entered on the other. The Whole of theſe Accounts are after- " wards annually digeſted into Abſtracts, which contain a particular State of the Rent, the Re- " ceipts and the Arrears of each Village. The Abſtracts of all the Villages form the Purgunnah " Accounts, and the general State of the Rent of the Zemindarry or Capital Diviſion, is com- " poſed of the Aggregate of the Accounts of the Pergunnahs. In order to convey an Idea of the

" diſtinct

" diſtinct and circumſtantial Manner in which theſe Accounts are kept, I have annexed Tranſla-
" tions of the two firſt, viz. that of a ſingle Reiat, and that of a Village: It will be unneceſſary
" to produce Specimens of the two laſt; all theſe are called Mufuſſul Accounts.

" The Hiſtory which I have given of theſe Accounts will ſerve, I hope, to redeem their Cha-
" racter from the Imputation of being looſe, confuſed, and intricate, and ſhew, that if we can
" ſucceed in procuring them, they will furniſh us with ready formed Abſtracts of the actual Col-
" lections, which will require only to be compared. For this Purpoſe it will not be neceſſary to
" examine the Accounts of every Reiat, nor of every Village. The inferior Accounts are uſeful
" only as Checks to the greater. From the regular Proceſs in which the Whole are formed, it
" will be ſeen how eaſily the Falſehood of any Account may be detected, ſince it is impoſſible to
" falſify the Sum Total of a Pergunnah, without falſifying all the Parts of it, which of Courſe
" will differ from thoſe of each Village; and thoſe again if forged will be corrected by the Ac-
" count Currents of the Reiats. Thus the Fidelity of the greater Accounts when ſuſpected, may
" be eaſily tried by a Reference to the ſubſidiary Accounts, which can hardly be falſified, as it
" is almoſt impoſſible to join in one Combination ſo many People as muſt be concerned in it.

" All theſe different Accounts are publickly kept in their reſpective Cutcherries. It is by
" them that the Rents are collected, and they are always delivered over to ſuch Perſon as has the
" Charge of collecting them, whether Zemindar, Sezawul Wadadar, or Farmer. I am ſenſible
" that to obtain the original Accounts of the Rents of every Part of Bengal will be a very diffi-
" cult Taſk; for the inferior Zemindars will, as Mr. Francis has obſerved, probably uſe every
" Artifice to conceal the Accounts of their Rents, or perhaps even attempt to fabricate them.
" But this in the large Diviſions, for the Reaſons which I have already given, will be almoſt im-
" poſſible; beſides as the Farmers are bound by their original Engagements to deliver to Go-
" vernment an Account of their Collections, as the Cuſtom of the Country requires that they
" ſhould give up the Moffuſſil Accounts at the Expiration of their Leaſe, and as they have little
" Intereſt to withhold them, ſince they muſt yield up the Farms at the End of the Year, the
" preſent Juncture is more favourable for procuring a true Valuation or Huſtabood of Bengal
" than any other. It would be almoſt impoſſible to form it afterwards, in the Event of the Lands
" being reſtored to the Zemindars; and thus one of the great Objects of the Five Years Settle-
" ment, the Diſcovery of a Rule for an equal Aſſeſſment, would be loſt.

" To collect theſe different Accounts, and to digeſt and methodize them for our Guidance in
" forming a new Settlement, is one of the principal Objects of the temporary Office which I have
" propoſed.

" I am ſenſible that it would be a far more eaſy Taſk to prepare the Materials for a new Settle-
" ment in the Manner which Mr. Francis propoſed, by taking the Accounts of the actual Re-
" ceipts of Rent for Three Years paſt, and correcting them by the Opinions of the Provincial
" Councils, on ſuch Diſtricts as have been either favoured or over-rated. But although I conſider
" theſe as uſeful Informations, I do not think that we can by them alone aſcertain the real Va-
" lue of the Lands, or ſafely make them the only Grounds of the future Settlement of the Reve-
" nue. Many of the Lands have ſuffered by Drought, Inundations, or other temporary Cala-
" mities, which, though affecting the immediate Collections, cauſe no Diminution in their real
" Value. In ſome Inſtances the Rents have been completed by Loans, or made up from the
" private Fortunes of the Landholders: In other Places they have been enabled to fulfil their
" Engagements by oppreſſive Exactions. The Value of ſome Lands on the contrary have been
" fully equal, or even ſuperior to the Rent aſſeſſed upon them; but the Collections have fallen
" ſhort through the Neglect or Incapacity of the Farmer, or Zemindar, or have been received and
" diſſipated in idle Expences, or been embezzled by the Collectors. In each of theſe Caſes, and
" every Diſtrict in the Province without an Exception is liable to one or other of them, the actual
" Receipts of Government would prove a falſe Eſtimate of their Worth, and often widely remote
" from it: And if a Settlement were formed upon ſuch a Principle, what would it be but to
" hold out a Reward to Fraud and Diſſipation, to encourage the Zemindars and Landlords to
" keep back their Payments, as the Means of diminiſhing their Rents, and to puniſh Punctuality
" by loading it with a full Share of the Aſſeſſment.

" But, to correct the Irregularities of an Eſtimate conſtructed upon ſuch uncertain Grounds, the
" Opinions of the Provincial Councils are thought ſufficient. Now theſe muſt be formed either on
" Materials ſuch as I have deſcribed, or on the Opinions of their dependant Officers; the former
" would be uſeful, and ſpare the Labour of further Reſearches; the latter, if the Evidence of Ac-
" counts can be procured, ought not to be admitted as Authority in a Matter of ſuch great Impor-
" tance, and in which an Error in the Valuation of the Land, even of a Twentieth Part, may re-
" duce an antient Family to Beggary, or double the Income which it formerly enjoyed. Surely it
" will not be urged as an Objection to official Accounts, that they may be fraudulent, and yet pro-
" poſed to take private Opinion for Authority. The Forger of falſe Accounts is liable to the
" ſevereſt Penalties, and thoſe Accounts are liable to Detection; but the Errors of Opinion are
" always difficult of Conviction, nor has any Government ever deviſed a Puniſhment for thoſe who
" maintained them.

" To elucidate and ſupport many of the Arguments which I have above uſed, I will only ſtate
" One Caſe.

" At the Cloſe of the laſt Bengal Year, ſeveral Talookdars, or petty Landholders, in the Neigh-
" bourhood of Moorſhedabad, fell largely in Arrears in the Payment of their Rents, and their Lands
" were ſold to make good the Deficiency: Some of theſe Families had enjoyed their Eſtates for
" above an hundred Years. The Board, knowing that the Revenue is unequally aſſeſſed, and in
" ſome Places beyond the Abilities of the Proprietors, wrote to the Provincial Council at Moorſhe-
" dabad, to know whether the Eſtates of theſe Talookdars had been really over-rated, or whether
" the Arrears were to be attributed to Neglect or Miſmanagement. They have lately returned an
" Anſwer, with Accounts of the Rents, Receipts, and Arrears of all theſe different Talooks, by
" which it appears that the Rents had in general been paid with much Regularity for the Three
" preceding Years, but had fallen in Balance during the laſt. One of the Talookdars (Shezadpoor),
" whoſe annual Rent is about 15,000 Rupees, had laſt Year paid no more than 4,000 Rupees in
" Part of it. The following is an Extract of the Anſwer to our Enquiries as to the Cauſes which
" had thrown theſe Talooks into Arrears.

" " How far theſe Balances have been owing to the Neglect and Miſmanagement of the Pro-
" prietors, or to the Lands having been over-rated, it is not in our Power accurately to determine;
" but from the Collections having been regularly kept up for Three Years, and falling ſo much in
" Arrears the Fourth, it affords Room for ſuppoſing that the Complaints of the Zemindars of the
" Drought of the Seaſon were not without Foundation, and this might be the Cauſe of that Year's
" Deficiency."'

" It appears therefore, that the regular Payment of Rents for Three Years is no Proof of the Pro-
" prietor's Ability to continue to pay the ſame Rent; that if he falls in Arrears his Eſtate is ſold;
" and that a Provincial Council, of which both the Engliſh Members and the native Officers in
" Point of Abilities yield to none in Bengal, are unable to ſay whether any particular Diſtrict has
" been favoured or over-rated; for if it is not in their Power to give an Opinion of the under or
" over Valuation of the Rents of an Eſtate in their own Neighbourhood which had been ſold, and
" the Rent of which amounts only to 15,000 Rupees, how can we expect exact Reports con-
" cerning the Rents of the Whole of their Diviſion, which amounts to Fifty Lacks of Rupees.
" The Truth is, that it is impoſſible to form a juſt Judgement of the Value of Lands, and
" conſequently of the Revenue which they ſhould pay, but by an Inſpection of their Moffuſil
" Accounts.

" But admitting that the Receipts of Revenue, and the Opinions of the Provincial Councils
" ſhould appear to us ſatisfactory Grounds for eſtabliſhing a fixed Aſſeſſment, yet the Concurrence
" of the Zemindar alſo will be neceſſary. Suppoſe the Caſe of the Talook abovementioned,
" Shazadpore; we offer to fix the Rent at 15,000 Rupees; the Poſſeſſor declares it to be over-
" rated. Upon what Grounds can we compel him to ſubſcribe to our conjectural Valua-
" tion? or how can we admit his Pleas without examining them? Should we however perſiſt in
" dictating our own Terms, the Proprietor will very probably accede to them like the Rajah of
" Nuddea, in the Dread of loſing his Talook, which, if unequal to the Aſſeſſment, muſt after-
" wards be ſold, not for any Crime or Fault of the Proprietor, but for the Deſpotiſm of Govern-
" ment in exacting from him what he had not to give.

" If the Commands and Exigencies of the Company will admit of it, I ſhall be ready to join in
" lowering the Revenue; but the peculiar Neceſſities of this Government will not perhaps allow of
" a conſiderable Diminution of the Rents; and whatever it may be, it will be felt as a Relief only
" according to the Diſtribution of it, and the Manner in which it is proportioned to the State and
" Abilities of thoſe who are to pay it.

" I concur entirely with Mr. Francis in his Arguments againſt raiſing the greateſt poſſible Revenue
" from Bengal, by deſtroying all the intermediate Orders of Men between the Ruler and the Culti-
" vator. But as my Object in endeavouring to procure an accurate Account of the Rents is only to
" make an equal Diſtribution, and has no kind of Connection with the Propoſition of raiſing the
" largeſt Revenue, nor with that of deſtroying the intermediate Orders of Men, I imagine it is
" unneceſſary to follow Mr. Francis through all the abſtract Reaſonings which he has introduced on
" Subjects ſo remote from my own Intentions.

" Beſides the immediate Buſineſs of the propoſed Office, I have recommended, as a Second Object
" of its Reſearches, the better and more effectual Regulation of Pottahs for the Security of the
" Reiats in the perpetual and undiſturbed Poſſeſſion of their Lands, and to guard them againſt
" arbitrary Taxations. The Words, 'perpetual Poſſeſſion,' and 'their Land,' which may be
" mere Inaccuracies of Expreſſion, for they were not meant to convey the Idea of any poſitive
" or excluſive Right of Poſſeſſion, have been noticed by Mr. Francis as contradictory to the Rights
" of Property which are veſted in the Zemindar. I ſhall not here attempt to account for the Diſ-
" tinctions of Property as they are underſtood in this Country; it is ſufficient for me to obſerve,
" that while the Reiat pays his Rent, the Zemindar has no Right to diſpoſſeſs him, nor can the
" Zemindar by any legal Right exact a higher Rent from him than his Pottah preſcribes.

" Mr. Francis ſeems to ſuppoſe, that there is no Neceſſity for the Interpoſition of Government
" between the Zemindar and the Reiat. He obſerves, 'that if they are left to themſelves, they
" will ſoon come to an Agreement, in which each Party will find his Advantage.' This would be
" a juſt Concluſion, if the Zemindars were all capable of diſtinguiſhing what was for their Advan-
" tage: But it is a Fact which will with Difficulty obtain Credit in England, though the Notoriety

" will

" will juſtify me in aſſerting it here, that much the greateſt Part of the Zemindars, both of Bengal " and Bahar, are incapable of judging or acting for themſelves, being either Minors, or Men of weak " Underſtandings, or abſolute Idiots. This Circumſtance, and the conſequent Oppreſſions which " are exerciſed by thoſe who act for them without Intereſt in the Proſperity of the Zemindarry, " renders it neceſſary to provide for the Security of the Reiats by Checks and Regulations. It is " to be obſerved alſo, that there are two Kinds of Reiats. The more valuable are thoſe who " reſide in one fixed Spot, where they have built themſelves ſubſtantial Houſes, or derived them " by Inheritance from their Fathers. Theſe Men will ſuffer much before they abandon their " Habitations, and therefore they are made to ſuffer much; but when once forced to quit them " they become vagrant Reiats. The vagrant Reiats (as Mr. Francis obſerves) have it in their " Power, in ſome Meaſure, to make their own Terms with the Zemindars. They take Land at " an under Rent, hold it for one Seaſon; the Zemindar then encreaſes their Rent, or exacts more " from them than their Agreement, and the Reiats either deſert, or, if they continue, they hold " their Land at a Rent lower than the eſtabliſhed Rate of the Country. Thus the ancient and " induſtrious Tenants are obliged to ſubmit to undue Exactions, while the vagrant Reiats enjoy " Lands at Half Price, which operates as an Encouragement to Deſertion, and to the Depopula- " tion of the Country.

" The general Subject of Pottahs, and the Abuſes and Oppreſſions ariſing from their preſent " Uncertainty, and the Variety of Articles that compoſe the Reiats Accounts, have been often " Matter of juſt Complaint; and I believe every Member of the Board is ſatisfied that they require " to be reformed. All that I now propoſe is to collect the Materials of Information on this " Subject, to be laid before the Board for their future Determination on the moſt effectual Means " of regulating the Pottahs. At preſent I am not prepared to propoſe a complete Plan, and " decline giving a premature and partial Opinion, while I am profeſſedly ſeeking for the Grounds " to determine it.

" Signed at the End of the Conſultation,

" Warren Haſtings,
" J. Clavering,
" P. Francis.") (*a*) §

Read, from Book 209, already delivered in, the following Extract of a Conſultation of the 14th of March 1777, beginning at Page 111 of the ſame Book.

" Fort William, the 14th March 1777.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General; Rev. Dept. Friday.
Lieutenant General Clavering;
Richard Barwell, } Eſquires.
Philip Francis, }

" Governor General.—I move that the following Letter be written to the Chief and Council at Moorſhedabad. Governor General's Motion in Conſequence.

" Complaint having been made by Ram Ram Boſe, the Aumeen of Bettoreah, that many of the Zemindarry Officers refuſe to deliver to him the Accounts of the Collections under their Charge; and, in other Reſpects, oppoſe him in the Execution of his Commiſſion: We hereby poſitivily * direct, that on any Complaint being made to you, either from him or from any other Aumeens, who have been deputed into the Diviſion, you do immediately take the moſt effectual Means to ſupport and enforce their Authority, by carrying ſuch Papers of the Collections as they ſhall require, conformaly * to their Inſtructions, to be put into their Poſſeſſion, by compelling the Attendance of ſuch Revenue Mohrirs, as may be required by the Aumeens to explain them, and by arreſting and puniſhing thoſe who ſhall dare openly to oppoſe or diſobey the Orders of Government in theſe Inſtances (*b*).

* Sic in Orig.

* Sic. in Orig.

Signed at the End of the Conſultation,

" Warren Haſtings,
J. Clavering,
Rich[d] Barwell,
P. Francis."

Read, a further Extract from the ſame Book, and ſame Conſultation, beginning at Page 323, of the ſame Book, as follows.

" 2d Propoſition:—I object to the propoſed Letter to the Council of Moorſhedabad, ſince under Colour of the following Words, " by arreſting and puniſhing thoſe who ſhall dare openly to oppoſe or diſobey the Orders of Government in theſe Inſtances," the Council of Moorſhedabad, or their Officers, may inflict corporal Puniſhment *ad libitum*, by flogging and other Modes of Torture. I do not myſelf poſſeſs, nor wiſh to poſſeſs, the Power of inflicting corporal Puniſhment upon Mr. Francis's Opinion on the ſeveral Propoſitions of the Governor General.

(*a*) Vide Appendix, N° CLXXIV. (*b*) Vide Appendix, N° CLXXV.

any

any Man at my own Diſcretion; of courſe I cannot delegate ſuch a Power to another. As long as the Ranny of Radjeſhy pays her ſtipulated Revenue to Government, we can have no Right or Pretence to interfere in the internal Management of the Zemindarry, nor, of courſe, to arreſt, impriſon, or puniſh her Officers and Servants for refuſing to deliver up the Papers belonging to her Family and Eſtate. Beſides, that under Colour of demanding Papers, and a ſuppoſed Refuſal to deliver them, I know not what Acts of Tyranny may not be exerciſed by a Set of the loweſt Men, ſuddenly veſted with arbitrary Power, over the Perſons and Property of a timid helpleſs People. That they will tax the Country for their own Uſe, is one of the ſmalleſt Evils to be apprehended from the Eſtabliſhment of the preſent Inquiſition. When the Laſh is once raiſed, when Tortures may be threatened, and put in Practice, at the Diſcretion of an Aumeen; what Conſideration is it to limit him to the Gratification of one Paſſion only? And whither ſhall the wretched Victim of his Cruelty fly for Protection, when every Thing he does, is done in the Name, and by the Authority, of a Government under which the whole Country trembles?

" Great Pains have been taken to prove, that the Powers in Queſtion belonged to the Office of Aumeen under the Mogul Government. The Time ſpent in maintaining this Propoſition would have been idly employed, if it was not meant to prepare Precedents for Practice. I neither admit the Exiſtence of ſuch Precedents, nor will I, in any Shape, be a Party to the Practice ſuppoſed to be warranted by them." (*a*)

Read, a further Extract from the ſame Book and Conſultation, beginning at Page 341, of the ſame Book, as follows:

General Clavering's Opinion on the ſeveral Propoſitions of the Governor General.

" Propoſition the Fourth.

" A Letter to the Council of Moorſhedabad, to puniſh the Officers of the Zemindarry of Radiſhaj, on the Complaint of the Aumeen and his Dependents.

" This Letter, partly dictated by Mr. Haſtings, and partly written with his own Hand, exhibits in ſo lively a View the State of Civil Society in Bengal, and particularly the Condition of the great Zemindars, that I moſt humbly intreat the Court of Directors to give it a few Moments of their Attention. They will judge, whether the Supreme Court of Judicature, which Mr. Haſtings has ſaid was a Bleſſing to this Country, has had yet that Effect, or whether, in any Country where any Kind of Laws are exiſting, Men, and particularly the Officers of a great Zemindary, may be taken up on the Complaint of a low Man, (ſtiling himſelf an Aumeen, or the Delegate of an Aumeen), confined and flogged for not obeying Orders of which he is entirely ignorant.

" The Court of Directors know that the Inſtructions to the Aumeens were not even communicated to the Provincial Councils by Government; and unleſs private Orders have been given to them by the Governor General in his new Office, by virtue of the Power which he has aſſumed of ſo doing, they too muſt be ignorant, whether the Orders of Government are diſobeyed or not, but muſt flog every One at the Diſcretion of the Aumeen.

" The Court of Directors, I hope, will forgive me, if I refuſe fixing my Signature to this Letter. I will not authoriſe, with my Name, the Commiſſion of the Enormities which it may produce. Moreover, I conſider it as owing its Exiſtence to the ſame vindictive Spirit which is let looſe on the Ranny of Burdwan, Mr. Goring, Mr. Roſewell, Mr. Wodſworth, and Mr. Fouke. I apprehend, whilſt the Zemindars and Farmers pay their Rents punctually, Government has no Right to interpoſe its Authority in the Management of their private Affairs, or their Zemindars. I conſider therefore * very Interpoſition of the Authority of Government with them, further than to compel them to pay their Rents, or for Purpoſes of Police, as ſo many Acts of Oppreſſion and Tyranny, againſt the Exerciſe of which the late Act of Parliament was intended as a Relief; why it has not had this Effect; I moſt ardently hope the Legiſlature will inveſtigate." (*b*)

* Sic in Orig.

The Counſel for the Defendant deſired a further Extract from the ſame Book and ſame Conſultation, beginning at Page 353 of the ſame Book, might be read.

The ſame was read, as follows:

§ (" 21ſt March. Received the following Minute from the Governor General on the foregoing " Subject.

" Fort William, 21ſt March 1777.

Governor General's Minute in Anſwer to General Clavering.

" General Clavering ſays, that ' in the Minute produced laſt Friday by me at the Revenue " Council introducing Four ſeparate Propoſitions, with Mr. Barwell's Approbation annexed to " them, the Court of Directors will ſee a Specimen of the conciſe Manner with which the Reſo- " lutions of thoſe Gentlemen become Acts of Government.' I do moſt painfully regret that this " Inſtance will not ſerve as a true Specimen of the Diſpatch of Buſineſs at our Council Board.

" It was, in Reality, but an Effect of Neceſſity. The whole Morning of the 14th inſtant, in " which thoſe Propoſitions were introduced, was waſted in tedious Debates. It was the laſt Time " that we were likely to meet before the Cloſe of the laſt Diſpatches of the Seaſon, and I deemed

(*a*) Vide Appendix, N° CLXXV. (*b*) Vide Appendix, ibid.

" it

" it neceſſary that the Court of Directors ſhould be adviſed by it of the Meaſures which I pro-
" poſed to carry into Execution. I drew up the Minute while the General and Mr. Francis were
" in Poſſeſſion of the Council Table, and ſeized the firſt Interval which was allowed me to intro-
" duce it, which was not till after the Hour of Two in the Afternoon. Had I waited to make
" each a ſeparate Motion, and to take my Share, as uſual, in the Dialogue, which *which was to fol- * Sic in Orig.
" low it, an entire Week would not have been ſufficient, though the Board had met every Day,
" to bring them all to a Concluſion. On this Occaſion I cannot avoid taking Notice of the Uſe
" (whether proper or improper, my Superiors will judge) to which the General has of late eſpe-
" cially applied the Privilege, which he undoubtedly poſſeſſes, of recording his Sentiments by Mi-
" nutes dictated at the Council Board. Scarce any Subject, even of the moſt trivial Nature, is
" allowed by him to paſs without long Comments and Diſcuſſions, all more abounding in perſonal
" Reflections, of the moſt injurious Kind, upon my Character, than in Elucidations of the
" Points in Queſtions †. While he is thus employed, I am doomed to the Neceſſity either of ex- † Sic in Orig.
" erciſing my Patience by ſitting in ſilent Attention to the General, during whatever Length of
" Time he chuſes to conſume in this Mode of gratifying his ill Humour againſt me, or of com-
" poſing my Mind in the adjacent Apartment to other Buſineſs, which I can ſeldom find an In-
" termiſſion to introduce, or to adjourn the Council where my Preſence cannot avail to the Diſ-
" patch of real Buſineſs, and afford freſh Cauſe of Offence by my Departure. If this Picture ſhall
" appear to be overcharged, I will beg Leave to refer the Honourable Court of Directors to the
" Proceedings of the 24th of laſt Month, in which the Names of Lord George Germaine and Mr.
" Whitworth are called in Aid, to load me with the blackeſt, though indirect Imputations, for the
" Truth of it.

" I will frankly own, that I did 'mean only to take the Opinions of General Clavering and Mr.
" Francis officially as uſual.' In other political Aſſemblies it is not uncommon for the Minds of
" Men, either warped by the Heat of Oppoſition from their proper Direction, or blinded by par-
" ticular Intereſts, to quit their firſt and common Object, and run into perſonal Animoſities. But
" this has been the State of the Council of Bengal ſince the 21ſt of October 1774, the Day on
" which it firſt aſſembled, to the preſent Hour invariably. Our Superiors will have long ſince
" ceaſed to look in our Conſultations for temperate and friendly Communications in the Search of
" Truth, or the Purſuit of Meaſures tending ſolely to promote the public Service; *now* will * they * Sic in Orig.
" expect to ſee any Motion of mine retracted from a Conviction impreſſed on my Mind, by
" the Aſſurances that it was made only with a View to private Advantage, or for the ſake of
" ſupporting an univerſal Syſtem of Licentiouſneſs, Oppreſſion, and Corruption.

" When the General and Mr. Francis ſhall condeſcend to ſhew me not that Reſpect which is
" due to the Head of that Government, of which they were appointed joint Members by the
" King and Parliament of Great Britain; this I do not expect, but the common Forms of Civi-
" lity which are mutually due from Men placed in an equal State of Society; when they ſhall
" receive my Opinions with Candor, and anſwer them from no other Impulſe than a Deſire of
" uniting with me in the Support of the Company's and the National Intereſts committed to our
" common Charge, I ſhall not have a Wiſh to avail myſelf of the conſtitutional Privileges, ſcanty
" as they are, which are annexed to my Station, and ſhall ever wait chearfully for the Aid of
" their Judgement to determine my own. *Bus* * as this is impoſſible, I ſhall think myſelf not * Sic in Orig.
" only juſtified in chuſing ſuch Meaſures, in Conjunction with the only Member of the Board
" on whom I can rely for Aſſiſtance, as ſhall appear to us moſt conducive to the Service, and † † Sic in Orig.
" employ the conſtitutional Powers of this Government, while I can, to carry them into Execu-
" tion, nor for this Purpoſe ſhall I deem it neceſſary to wait the Cloſe of every Series of Argu-
" mentation with which the other Members may endeavour to protract it.

" How long the Will of our Superiors, or the Neceſſity of the Times, may ſuffer the Powers of
" this Government to be waſted in this inteſtine unnatural Conflict, I know not; but I will venture
" to pronounce, that they will never be effectually employed to the Aggrandizement of the Britiſh
" Influence in India, or even to the Eſtabliſhment of a State of permanent Order in this Country,
" till the Deliberations of the Board ſhall appear in their Records only from Reſolutions which
" they produce.

" I ſhall now follow the General's Minute through his Objections to each of my Propoſitions.

" Propoſition 4th.—Whether the Meaſure of deputing Aumeens to inveſtigate the Revenues
" of Bengal was expedient or proper in itſelf, is a Point which the Court of Directors will deter-
" mine. It cannot be diſputed that it was a formal and conſtitutional Act of Government, and it
" is therefore the Duty of Government to ſupport and give it its due Effect. The General might
" ſurely have ſpared the harſh Cenſure which he has paſſed on the Supreme Court of Judicature
" for its ſuppoſed Forbearance or Inefficacy to check an Evil of ſuch Enormity, if he had recol-
" lected the Power which has been given to the Aumeens; and which was no more than to demand
" the Papers containing the Accounts of the Publick Revenue, which are the allowed Property
" of Government, and to require the Attendance of thoſe who were in Charge of them, and who, by
" the Laws of the Land, and the univerſal Senſe of the People, will be adjudged to deſerve a much

" ſeverer Puniſhment than the Britiſh Government has yet inflicted on Offences of this Kind, for " a Diſobedience of it's Commands, or an open Oppoſition to its Authority.

" Theſe Obſervations on the General's Minute having been drawn to a greater Length than " I either intended or ſuſpected, I ſhall forbear to make any particular Comment on that of Mr. " Francis, to which I believe the ſame Arguments will ſerve equally for a Reply.") §

(Signed at the End of the Minute)

" Warren Haſtings."

The Counſel for the Defendant deſired Mr. Barwell's Minute in the ſame Conſultation might alſo be read.

The ſame was accordingly read, beginning at Page 367 of the ſame Book, as follows:

§ (" Mr. Barwell.—I ſhall be as conciſe as poſſible as to the Strictures paſſed by General Clavering " on the Governor General's Four Propoſitions, and my Aſſent to them. Being ſatisfied in my " own Mind of the Propriety of my Support of them, I ſhall decline a fruitleſs Controverſy. The " Records are already ſwelled with Inſtances little to the Credit of our Debates; for almoſt every " Page preſents to the Publick unjuſt and harſh Reflections, captious Ill-humour, and injurious " Inſinuations. Theſe have marked General Clavering's Minutes for a Length of Time; and in " the preſent Temper of his Mind, appear to me to paſs with him for Reaſon and Argument; wit- " neſs the undiſcriminate Cenſure he gives to every Meaſure propoſed by the Governor: Witneſs " his conſtant Introduction * irritating Alluſions, however foreign, upon every Topick of Debate: " Witneſs his ſtrained Application of the Speeches delivered by Lord George Germain and Mr. " Whitworth, in the Honourable the Houſe of Commons: And laſtly, witneſs in theſe Inſtances " his Endeavours to obſtruct and protract the publick Buſineſs. I am not then ſurpriſed my Aſſent " to the Governor's Four Motions ſhould give Diſſatisfaction to General Clavering; nor am I ſur- " prized that the Governor General ſhould have been compelled to deviate from his uſual Mode; " and, inſtead of appearing, as he has almoſt invariably done, aſſiſting in the Deliberations of his " Council, leading them in this Inſtance. I confeſs I ſee many Objections to leaving publick " Buſineſs looſe and at large before the Board.—There is a Degree of Reſponſibility annexed " to the Office of the firſt Perſon in this Government; but on this Subject I ſhall reſerve myſelf " to a future Occaſion." (*a*)

Mr. Barwell's Anſwer to General Clavering's Minute.

* Sic in Orig.

(Signed) " Richard Barwell.")

(Signed at the End of the Conſultation) §

" Warren Haſtings,
J. Clavering,
Rich[d] Barwell,
P. Francis."

Read, from Book 221 already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, dated the 30th January 1778, beginning at Page 93 of the ſame Book.

Par. 60. " Our Letter dated the 4th of July 1777, contained our Diſapprobation of the Governor General's Scheme for a new Inveſtigation of the Provinces, by the Deputation of native Aumeens into the Diſtricts.—We now read on your Proceedings, that Nundololl, one of thoſe Aumeens, has been furniſhed with a Guard of 50 Sepoys from Dacca without the Knowledge of the Commander in Chief; and from your Debates relative to the Power of the ſaid Aumeens, it appears that Nundololl has alſo deputed ſubordinate Aumeens, for whoſe Protection the Governor General ſeems to think Part of this Military Force might be neceſſary *. We confeſs ourſelves alarmed at theſe Proceedings, and more ſo when we conſider that Zemindars and other reſpectable Inhabitants of a Country, from which the Company and the Nation draw immenſe Advantages, ſhould be liable to vexatious Inquiſitions, and even to the Poſſibility of ſuffering Abuſes and grievous Oppreſſions from other Natives, veſted with an Authority which we utterly diſapproved, before we could have the Opportunity of preventing ſuch Abuſes.

Reventte Conſ. 11th March 1777, Fol. 11; 14th March, Fol. 65.

* P. 73.

61. " As the Whole of the Meaſure is equally repugnant to our Ideas of Humanity and of ſound Policy, we have only to add, that if one Part of the Governor General's Plan be more exceptionable than the reſt, it is that Order which enjoins the Provincial Chief and Council, " on any Complaint made by any Aumeen," to ſupport and enforce the Authority of the ſaid Aumeens, by compelling the Attendance of ſuch Native Revenue Officers as the Aumeens might require, and by arreſting and puniſhing thoſe who ſhould dare to oppoſe or diſobey, what is ſtiled by the Governor General and Mr. Barwell, the Orders of Government in thoſe Inſtances.

14th March 1777, Fol. 111, 112, 233, 343.

62. " We obſerve, that General Clavering has ſigned ſeveral Letters in conformity to our Orders, though he has thought it neceſſary to proteſt againſt the Contents; but he hopes we ſhall forgive him for refuſing to affix his Signature to the Order before mentioned. His Reaſons for

(*a*) Vide Appendix, N° CLXXV.

ſuch Refuſal were, becauſe he would not authoriſe, with his Name, the Commiſſion of Enormities which it might produce. We find alſo, that Mr. Francis refuſed to ſign it; and we are happy in teſtifying, that the humane Sentiments expreſſed by the General and Mr. Francis on that Occaſion coincide entirely with our own." (*a*)

The Managers for the Commons informed the Houſe, that they had finiſhed their Evidence upon the Sixth, Part of the Seventh, and upon the Fourteenth, Articles of Charge.

Then Mr. Fox was heard, in Part, to ſum up the Evidence upon the Sixth, Part of the Seventh, and upon the Fourteenth, Articles of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Mercurii, 9° Junii 1790.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons they might proceed to make good their Charge.

Mr. Fox was then heard to ſum up the reſt of the Evidence upon the Sixth, Part of the Seventh, and upon the Fourteenth, Articles of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide Appendix, N° CLXXVI.

Die Lunæ, 23° *Maii* 1791.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker informed the Managers for the Houſe of Commons that they might proceed to make good their Charge.

Mr. St. John was heard to open the Fourth Article of Charge.

Then, to prove that in the Year 1774 an Order was tranſmitted from the Court of Directors to the Governor General and Council at Bengal, " that all Contracts ſhould " be publickly advertiſed ;"

Read, from Book 58, already delivered in, the following Extract of Inſtructions from the Court of Directors to the Governor General and Council, dated the 29th March 1774, beginning at Page 49 of the ſame Book.

" Inſtructions from the Court of Directors of the United Company of Merchants of England trading to the Eaſt Indies to Warren Haſtings Eſquire, Governor General, Lieutenant General John Clavering, the Honourable George Monſon, Richard Barwell Eſquire, and Philip Francis Eſquire, Counſellors; conſtituted and appointed the Governor General and Council of the ſaid United Company, Preſidency of Fort William in Bengal, by an Act of Parliament, paſſed in the laſt Seſſion, intituled, " An Act for eſtabliſhing certain Regulations for the " better Management of the Affairs of the Eaſt India Company, as well in India as in " Europe."

Par. 36. " As all the Company's Buſineſs which can conveniently be performed by Contract is ſo performed in Bengal, we have only to direct, That all Contracts, with the Conditions, be publickly advertiſed, and ſealed Propoſals received for the ſame; that every Propoſal be opened in Council, and the Preference given to the loweſt, provided ſufficient Security ſhall be offered for Performance; and that all ſuch Propoſals, with all Proceedings thereon, be entered in a Book to be kept apart for that Purpoſe, and regularly tranſmitted to us.

(Signed at the End)

" Joſeph Sparkes, Edw[d] Wheler,
Pet. Laſcelles, John Harriſon,
Charles Boddam, Jn[o] Woodhouſe,
Jn[o] Mitchie, Samuel Peach,
Charles Chambers jun. Fred[k]. Pigou,
R[d] Hall, Daniel Wier,
John Smith, W[m] James,
George Tatem, T. B. Rous,
George Cuming."

To prove, that an excluſive Privilege of providing Ophium in the Bahar Province was granted to Meer Manneer in the Year 1773,

Read, from Book 215, already delivered in, the following Extract of a Conſultation of the 23d November 1773, beginning at Page 3645 of the ſame Book.

" Fort William, 23d November 1773.

" At a Conſultation; Preſent, Rev. Dept. Tueſday.

The Honourable Warren Haſtings Eſquire, Preſident;
William Alderſey, Philip Milner Dacres, James Lawrell, Henry Goodwin, John Graham, George Vanſittart, } Eſquires.

" Reſolved, That an excluſive Privilege be given to Meer Manneer, the Succeſſor of Meer Aſhraf, for providing Ophium in the Bahar Province: That he ſhall engage to deliver in Calcutta Reſolution thereupon.

all which may be produced in the Bahar Province at 320 Sicca Rupees, of the Nabob Shuja ul Dowlah at 350, agreeably to the annexed Writing, which ſhall be ſent to Patna for him to execute; that he ſhall deliver to the Dutch the uſual Quantity with which they have been ſupplied, at the cuſtomary Price; that Half the Money ſhall be advanced immediately, and Half on the Delivery of the Ophium; that the Quantity delivered to the Company ſhall be ſold on their Account by publick Auction, and that what may be required for the Settlement of Balamgangan ſhall be reſerved for it, and invoiced at the medium Price of the Sales at the Auction.—The Board are induced to give this excluſive Privilege to Meer Manneer in Preference to any One elſe, becauſe, being the Perſon who has for ſome Years been employed by the Gentlemen of Patna in this Buſineſs, he is the beſt acquainted with the proper Mode for managing it, and will account with them for any Advances which they may have already made.—As the Succeſs of the Ophium Trade depends much upon its Quality, and the Exportation of any which is bad renders the Molays ſuſpicious of the Whole, and thereby diminiſhes the Demand for it, and is injurious to this Branch of the Commerce of Bengal, the Agent ſhall be required to be particularly attentive to this Object; and as conſiderable Quantities of a bad Quality have of late been imported from Neinpar, and other Parts of the Nabob Shuja ul Dowla's Country, it is reſolved, That as a Diſcouragement to ſuch Importation, and the manufacturing of bad Ophium, an additional Duty of One Sicca Ruppee per Seer be levied upon all Ophium not produced by the aforeſaid Agent, and that Orders be in due Time iſſued accordingly. (*a*)

(Signed at the End of the Conſultation)

" Warren Haſtings,
W. Alderſey,
P. M. Dacres,
James Lawrell,
H. Goodwin,
J. Graham,
George Vanſittart."

The Managers for the Commons ſtated, they would next proceed to ſhew the Orders given by the Court of Directors in the Years 1702 and 1743, relative to Contracts.

Read, the following Extract from a Book, intituled, " Bengal Standing Orders from 1702 to 1743," already delivered in.

" Conſultations,

In the Commiſſion and Inſtructions ſent ℔ Ship Taviſtock, dated the 26 February 1702-3.

All Contracts to be made in Council.

Caſh Accounts to be paſt monthly, and to be ſtrictly kept up.

Par. 5. " Particularly we direct, that all Contracts for Goods bought and ſold be made in Council, and not privately, or in any other Manner; and that the ſame be duly entered in your Conſultation Book; that the Account of Caſh be, Once a Month at leaſt, read, paſſed, and ſigned in Council; that all Things be entered in the Books duly, and that they be poſted up from Time to Time, ſo as not to be a Week behind hand unpoſted upon any Pretence whatſoever."

Read alſo, from Book 58, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, 15th December 1775, beginning at Page 776 of the ſame Book.

Par. 41. " As the Revenue Council at Patna are of Opinion, that the Ophium Buſineſs may be more conveniently conducted by their Board than by our commercial Servants, on that Conſideration only we direct, that the Proviſion thereof be continued under your Management; but that you conſign the ſame, when provided, to our Board of Trade at prime Coſt, who are to diſpoſe thereof at public Auction, and to apply the Produce towards the Proviſion of our Inveſtment.

(Signed at the End)

" Chas Boddam,
Pet. Laſcelles,
Thos Rumbold,
J. Stables,
Edwd Wheler,
Jn. Woodhouſe,
W. Devaynes,
John Harriſon,
John Roberts,
Wm James,
G. Wombwell,
Robt Gregory,
John Michie,
Fred^{k} Pigou."

(*a*) Vide Appendix, N° CLXXVII.

The

The Managers for the Commons ſtated, they would next produce a Letter from the Governor General and Council at Bengal to the Court of Directors, relative to the Ophium Contract in the Year 1777.

Accordingly, read, from Book 400, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William in Bengal, to the Court of Directors, dated the 18th November 1777, beginning at Page 882 of the ſame Book.

Par. 120th. " In the 13th Paragraph of our Letter of the 20th September 1776, we informed you of our having continued the Contract for the Proviſion of this Article with the Contractors of the preceding Year.

Par. 121. " Mr. John Mackenzie having offered to provide this Article on the ſame Condition as thoſe Gentlemen, for the Term of Three Years, and to pay to Government, at the Cloſe of every Year of his Contract, Ten thouſand Sicca Rupees, on Condition that, if he ſhould require larger Advances than the Half, which the Terms of the former Contractors entitle him to, he ſhould receive the ſame at his Requiſition; and that he would give ſufficient Security for the Public Money.

Par. 122. " We reſolved therefore to grant the Contract to that Gentleman for Three Years certain, unleſs Orders from you ſhall be received within that Time to relinquiſh your excluſive Property in the Trade of Ophium, and to make it free; in which Caſe it is ſtipulated, that the Contract ſhall, notwithſtanding, remain in full Force till the Expiration of the current Year, included within the Months of October and September, and then to ceaſe. (*a*)

(Signed at the End)
" Warren Haſtings,
Rich[d] Barwell,
P. Francis."

The Managers for the Commons ſtated, they would next produce a Letter from the Court of Directors of the 23d of December 1778, condemning the above Contract for Ophium, and the Conditions thereof.

Accordingly, read, from Book 221, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 23d December 1778, beginning at Page 559 of the ſame Book.

Par. 88. " We obſerve Mr. Mackenzie's Offer was, to pay 10,000 Sicca Rupees per Annum, as a Conſideration for holding the Ophium Contract on the Terms of his Predeceſſors, and of being indulged with ſuch additional Advances of Money as he might require; theſe Propoſals you accept, without acquainting the former Contractor, or any other Perſon, with the Terms therein contained; but after Two Years Experience of providing Ophium by Contract, you ſhould have aſcertained, by advertiſing for other Propoſals, whether the Price thitherto paid to the Contractor had been reaſonable; or whether any other reſpectable Perſon would engage to provide it on Terms more advantageous to the Company; and as you acted otherwiſe, and, ſo far as appears to us, concluded a Contract of great Importance without advertiſing for Propoſals, or making previous Enquiries, neceſſary to guide your Judgement therein, and to warrant the Meaſure, we therefore muſt diſapprove your Conduct on that Occaſion. (*b*)

(Signed at the End)

" R[d] Hall,	G. Wombwell,
W[m] Mills jun[r].	W[m] James,
J. Stables,	L. Sulivan,
Tho[s] Cheap,	Jn[o] Woodhouſe,
W. Devaynes,	Jn[o] Michie,
W. G. Freeman,	Joſeph Sparkes,
Rob[t] Gregory,	John Roberts,
John Smith,	H. Fletcher,

Samuel Peach."

The Managers for the Commons ſtated, they would next produce in Evidence an Extract from the Anſwer of Warren Haſtings Eſquire, delivered at the Bar of the Houſe of Lords, to the 4th Article of Charge, admitting that he had transferred the Sale of Ophium from the Board of Trade to another Department, contrary to the Order of the Court of Directors.

(*a*) Vide Appendix, N° CLXXVIII.

(*b*) Vide Appendix, N° CLXXIX.

Whereupon,

Whereupon, the Counſel for the Defendant deſired that the Whole of the ſaid Anſwer might be entered as read.

The ſame is as follows:

"ARTICLE THE FOURTH.

("In Anſwer to the Fourth Article, the ſaid Warren Haſtings admits it to have been his Duty "while Governor General of Bengal, ſtrictly to attend to the Expenditure of Public Money; "and more particularly in a Time of War and publick Diſtreſs, to be careful that thoſe Revenues "upon which the Welfare and Safety of the Empire did neceſſarily depend, ſhould not be "diminiſhed or ruined by Diſſipation or Prodigality, and ſhould not be diverted from the Publick "Service, or ſquandered for the Purpoſe of increaſing his own perſonal Influence, or providing for "his Dependants.

"And alſo, that it was his Duty, in every Inſtance in his Power, to pay due Obedience to the "Orders of the Court of Directors; but the ſaid Warren Haſtings humbly contends, ſuch laſt "mentioned Duty did not require Compliance with the ſaid Orders in Caſes where ſuch Com-"pliance would have been materially injurious to the Intereſts of the Eaſt India Company or the "Britiſh Nation, or where ſome important Advantage to ſuch Intereſts might be attained by a "Deviation. And the ſaid Warren Haſtings ſays, that the Court of Directors of the Eaſt India "Company, by the Thirty-ſixth Paragraph of the General Inſtructions given to the Governor "General and Council in March, One thouſand ſeven hundred and ſeventy-four, reciting, that as "all the Company's Buſineſs which could conveniently be performed by Contract was ſo performed "in Bengal, did direct as in the ſaid Fourth Article is ſtated.

"And the ſaid Warren Haſtings admits, That ſuch expreſs Order of the ſaid Court was made "in the Year One thouſand ſeven hundred and ſeventy, as in the ſaid Fourth Article is ſtated; "and that divers other Orders and Commands to the ſame Purpoſe and Effect may have been "iſſued by the ſaid Court of Directors at different Times to their Servants in India.

"And the ſaid Warren Haſtings admits, That the Opium produced in Bengal and Bahar is a "very conſiderable and lucrative Article in the export Trade of the ſaid Provinces, and that it "has been for a conſiderable Length of Time managed under a Monopoly. And the ſaid Warren "Haſtings admits, That of late Years, (that is to ſay) ever ſince the Year One thouſand ſeven "hundred and ſeventy-three, when, in conſequence of a Propoſal from the ſaid Warren Haſtings, "the ſaid Monopoly was taken from private Perſons, by whom it had been before excluſively "held without any Participation of the Eaſt India Company, into the Poſſeſſion of the ſaid Com-"pany, great Advantage has reſulted from the ſame to the ſaid Company.

"And the ſaid Warren Haſtings admits, That of late Years the Opium has been provided by "Contract; but he ſays, that it would not have been expedient or conducive to the Intereſt of the "Eaſt India Company, previous to the Contracts for this Commodity being made, or in the mak-"ing thereof, to have obſerved and followed all the Rules and Regulations preſcribed by the "Directors of the Eaſt India Company in regard to Contracts in General.

"And the ſaid Warren Haſtings ſays, That Doubts having ariſen in Council at Bengal, whether "the Management of the Opium Concern ought, as an Article of Revenue, to be lodged with "the Governor and Council, or as an Article of Commerce, to be veſted in the Board of Trade; "and the ſame having been communicated to the Court of Directors, they were pleaſed to direct "as follows: 'As the Revenue Council at Patna are of Opinion that the Opium Buſineſs may 'be more conveniently conducted by their Board than by our commercial Servants, on that Con-'ſideration only we direct that the Proviſion thereof be continued under your Management; but 'that you conſign the ſame, when provided, to our Board of Trade at prime Coſt, who are to 'diſpoſe thereof at public Auction, and to apply the Produce towards the Proviſion of our 'Inveſtment.'

"And the ſaid Warren Haſtings admits it to have been his Duty, not only to be careful in the "Expenditure of the Public Money in the making of Contracts, and in providing for the Public "Service, but alſo to be particularly careful not to laviſh the Money of his Employers in exceſſive "Salaries and Emoluments to favoured Individuals.

"And the ſaid Warren Haſtings admits, That the Court of Directors did order and direct that "the Sum of Six thouſand Pounds per Annum ſhould be paid to the Commander in Chief in full "for his Services as Commander in Chief, in lieu of Travelling Charges, and of all other Emolu-"ments whatſoever. And the ſaid Warren Haſtings admits, that it was his Duty not to create by "his Prodigality any publick Diſtreſs, and denies, that he was guilty of any Prodigality, or of any "violent or oppreſſive Acts whatſoever. And the ſaid Warren Haſtings admits, that it was his "Duty not to rob any Perſon whomſoever.

"And the ſaid Warren Haſtings denies, That he did enter into any Contract of the Nature, or "with the Views, or in the Manner, or which was productive of the Conſequences, in the "ſaid Fourth Article mentioned.

"And the ſaid Warren Haſtings denies, That he did authorize or approve of any enormous "Salaries or extravagant Allowances, or did laviſh away any Part of the Reſources of the Com-"pany, or of the Princes in Alliance with them, as in the ſaid Fourth Article is ſtated.

" And the ſaid Warren Haſtings ſays, That it having been determined in Council that Opium " ſhould be provided by Contract, the Governor General and Council, the ſaid Warren Haſtings " being Governor General, did, in the Year One thouſand ſeven hundred and ſeventy-ſeven, when " the former Contract was near its Expiration, unanimouſly agree to accept Propoſals from John " Mackenzie, for a Contract with him for Opium, to be provided on Terms nearly the ſame with, " but more favourable than, the former Contract.

" And the ſaid Warren Haſtings admits, That the ſaid Contract was granted for a Term of " Three Years, without any previous Advertiſement, it having been, by the ſaid Governor Gene- " ral and Council, deemed for the Advantage of the Eaſt India Company to make a Contract for " the ſaid Commodity in that Manner, and for that Term.

" And the ſaid Warren Haſtings admits, That the Court of Directors of the Eaſt India Com- " pany conceiving, contrary to the Fact, that the ſaid Contract had been made, not only without " any Advertiſement, but likewiſe without any previous Enquiries neceſſary to guide the Judg- " ment of the ſaid Governor General and Council therein, and to warrant the ſaid Meaſure, did " expreſs their Diſapprobation of the Manner in which they ſuppoſed the ſaid Contract to have " been made; but the ſaid Warren Haſtings denies, that the ſaid Court of Directors did condemn " either the Continuance of the Monopoly, or the Management thereof by Contract, or the Term " of Years for which the ſaid Contract with the ſaid John Mackenzie had been made.")

☞ [" And the ſaid Warren Haſtings ſays, That the Governor General and the Council, he the ſaid Warren Haſtings being Governor General, did judge it expedient, and did accordingly reſolve to transfer the Sale of Opium from the Board of Trade to another Department, which Meaſure, though contrary to the Letter of the Orders of the Court of Directors, it was conceived by the ſaid Governor General and Council, would more effectually carry into Execution the Intentions of the ſaid Court in giving the ſaid Orders; and which Meaſure, with the Reaſons for the ſame, was immediately communicated by the ſaid Governor General and Council to the ſaid Court of Directors, by a Letter, bearing Date the Twenty-fifth November One thouſand ſeven hundred and eighty, and the ſame has been ſince continued." (*a*)] ☞

☞ [" And the ſaid Warren Haſtings further ſays, That in the Year One thouſand ſeven hundred and eighty-one, at the uſual and proper Period of making the Contract for Opium, the then Situation of public Affairs having rendered it more expedient to extend the Period for which ſuch Contract ſhould be made, beyond the Term of One Year, the Governor General and Council, the ſaid Warren Haſtings being Governor General did, in Conſideration thereof, reſolve, 'That 'the Contract for the Proviſion for the Opium produced in Bengal and Bahar ſhould be granted to 'Mr. Stephen Sulivan for the Term of Four Years, on the ſame Conditions as it was then held by 'Mr. Mackenzie the then Contractor:' But the ſaid Warren Haſtings denies that the ſaid Contract was made with the ſaid Stephen Sulivan on more advantageous Terms for the Contractor than the ſame would have been made with any other Perſon. And the ſaid Warren Haſtings admits, that the ſaid Contract was made without advertiſing for Propoſals, or receiving from the ſaid Stephen Sulivan any written Propoſals for the ſame;"] ☞ §(" and that the ſaid Contract did not contain " any Clauſe, providing that the ſame ſhould be liable to be determined by the Orders of the Court " of Directors. But the ſaid Warren Haſtings denies, that any Clauſe was inſerted in the pre- " ceding Contract reſpecting the Determination of the ſame by the Court of Directors, in any " other Event than that of their relinquiſhing the excluſive Property in the Trade of Opium, and " making it free, in which Caſe the ſaid Contract was to remain in Force only for the current " Year, of which Event there had ceaſed to be any Probability prior to the Year One thouſand " ſeven hundred and eighty-one.") §

☞ [" And the ſaid Warren Haſtings denies, That he did take away Reſtrictions uſually and providently impoſed upon the Contractor in Contracts of that Nature; but he admits that he, as Governor General, and the Council, did reſolve, that there being no longer Occaſion for Inſpectors to ſuperintend the Manufacture of the Opium delivered by the Contractor, ſince the Reaſons which induced the Board to appoint thoſe Officers no longer exiſted, their Appointments ſhould be aboliſhed; and, in lieu thereof, it was in the ſaid Contract of the ſaid Stephen Sulivan ſtipulated, that, on the Arrival of the Opium at Calcutta, it ſhould be ſubject to the Inſpection and Controul of ſuch Perſons as the Governor General and Council might appoint for that Purpoſe. And the ſaid Warren Haſtings inſiſts, that the Regulation ſubſtituted by the Governor General and Council, in lieu of ſuch Inſpection, did as effectually guard againſt the Commiſſion of any Fraud by the Contractor, and was in other Reſpects more advantageous to the Eaſt India Company."] ☞

§ (" And the ſaid Warren Haſtings denies, That the ſaid Contract was granted upon Terms ex- " travagant or profuſe, or for the Purpoſe of creating an inſtant Fortune to the ſaid Sulivan; but, " on the contrary, the ſaid Warren Haſtings avers, that the Terms of the ſaid Contract were as " advantageous to the Eaſt India Company as the Terms of the preceding Contracts made by or " on the Part of the ſaid Company, for the Proviſion of the ſaid Commodity, and ſuch as the ſaid " Warren Haſtings and the Council at that Time did believe to be fair and reaſonable."

(*a*) This Paragraph is the Extract now read in Evidence by the Managers for the Commons.

" And the ſaid Warren Haſtings believes the ſaid Sulivan to have been a Perſon properly qua-
" lified to execute the ſaid Contract, and ſays, That a proper and ſufficient Security was taken
" from him for the due Performance thereof.") §

☞ [" And the ſaid Warren Haſtings denies, That the ſaid Sulivan did not ever execute, or attempt to execute, the ſaid Contract; but whether the ſaid Sulivan did, on or before the Execution of the Articles between him and the Governor General and Council, transfer his Intereſt in the ſaid Contract to John Benn Eſquire, or whether the ſaid Benn did afterwards transfer the ſame to any other Perſon, the ſaid Warren Haſtings declares himſelf ignorant, except as he has heard the ſame by Report ſince his Arrival in England, or has been informed by the ſaid Articles, and the Proceedings before the Honourable the Houſe of Commons, touching him the ſaid Warren Haſtings.]

☞ [" And the ſaid Warren Haſtings ſays, That the Governor General and Council, he being Governor General, did, in the Year One thouſand ſeven hundred and eighty-one, declare, as the Truth was, that the Employment of the Shipping belonging to Bengal, in ſupplying the Coaſt with Grain, and the Difficulties and Obſtructions apprehended in the Navigation of the China Seas from the Cruizers and Privateers which had been, and were expected to be fitted out from the Iſle of France, Batavia, and other Places, to interrupt the Trade of the Eaſtward, had ſo much reduced the Demand for Opium, that they had found no Bidders at the Company's Sales at the Cloſe of the laſt and the Commencement of the then Year, nor any Perſons willing to become Purchaſers of that Article at the moderate Price of Four hundred Rupees per Cheſt, at which it was afterwards expoſed for private Sale; from which Cauſes almoſt the whole Produce remained on their Hands; but he denies that he ever monopolized Opium at an extravagant Rate, or that no Attempts were made by Perſons employed by the Governor General and Council to ſell the ſame at a low Price.]

§ (" And the ſaid Warren Haſtings ſays, He does not know or believe that there were any Perſons
" in Calcutta who had Authority to bid for the Whole, or the greateſt Part of the ſaid Opium,
" upon any Terms which it would have been for the Intereſt of the Eaſt India Company to have
" accepted. And the ſaid Warren Haſtings denies that he did, in order to favour any Individuals,
" borrow Money at a large Intereſt, for the Purpoſe of advancing the ſame to the Contractor
" laſt mentioned; but he ſays, that no other Advances were made to the ſaid Contractor than ſuch
" as were agreeable to the Terms of his Contract; and that the Sum of Money mentioned in the
" ſaid Fourth Article to have been borrowed, was borrowed in the Abſence of the ſaid Warren
" Haſtings, in order to raiſe a Supply of Money to enable the Board to anſwer the heavy Calls
" which had been made on them from the other Preſidencies, and to make up for the Failure of
" the Reſource expected from the Sale of the Opium.

" And the ſaid Warren Haſtings ſays, That the Opium was, by Order of the Governor General
" and Council, he the ſaid Warren Haſtings being Governor General, exported to the Eaſtern
" Iſlands, and to China, on the ſaid Company's Account; which Meaſure the ſaid Warren Haſt-
" ings avers was, in the then State of the Company's Affairs, proper and expedient,

" And the ſaid Warren Haſtings ſays, That he has heard and believes, that the Importation of
" Opium is forbidden in China.

" And he admits, that the ſaid Plan was attended with ſome Riſk and Hazard; and that, in the
" Courſe of the Execution of the ſaid Plan, the Succeſs of it was in ſome Meaſure diminiſhed in
" conſequence of a Capture by the Dutch of One of the Ships employed in conveying Part of the
" Opium, which Capture was the only Loſs the ſaid Warren Haſtings knows, or has heard, that
" the Eaſt India Company ever ſuffered by the ſaid Plan, which he denies to have produced any
" Diſgrace to the Britiſh Character in India.

" And the ſaid Warren Haſtings, denying that he ever acted in the Proſecution of a Syſtem
" of Diſobedience to Orders, or of Prodigality or Profuſion, or that he was ever guilty of any
" Prodigality or Profuſion, ſays, That ſome Time in the Year One thouſand ſeven hundred and
" ſeventy-ſeven, the Governor General and Council, the ſaid Warren Haſtings being then Go-
" vernor General, did accept of Propoſals for providing Draft and Carriage Bullocks to the Army
" for Three Years, without advertiſing for the ſame; and that afterwards, ſoon after the Com-
" mencement of the War in India, the ſaid Warren Haſtings, without, as he admits, any Com-
" plaint made on the Part of the Contractor, but not without any Complaint on the Part of the
" Army, but, on the contrary, after repeated and urgent Repreſentations from the principal
" Officers commanding the ſame, that the ſubſiſting Contract (One Half of the Time limited
" for the Duration whereof he admits to have been then unexpired) was inadequate to the regular
" Supply of that Service, did approve of certain Alterations in the ſaid Contract, which, in his
" own Judgment, and that of the ſaid principal Military Officers, were eſſential and neceſſary;
" and the ſame having been reſerved for the Opinion of, and having afterwards undergone the Cor-
" rection of Sir Eyre Coote, the then Commander in Chief of all the Company's Forces in India,
" and having been by him propoſed in Council, the ſaid Warren Haſtings, as Governor General,
" did vote for, and a Majority of the Board in Council did paſs, a Reſolution in the following
" Words, *viz.* 'That the Plan recommended by the Commander in Chief for a new Contract
' for the Draft and Carriage Cattle be approved, and that an Offer be made to the preſent

' Contractor

'Contractor to contract with him on the Terms preſcribed therein, inſtead of the Contract now in 'force.'

" And the ſaid Warren Haſtings ſays, That it was by the ſaid Board deemed expedient, that " the ſaid Contract ſhould be made for the Term of Five Years; but he ſays, that the Conditions " thereof, though in ſome Reſpects more advantageous to the Contractor, were alſo more ad- " vantageous to the Eaſt India Company than the then ſubſiſting Contract. And the ſaid War- " ren Haſtings denies, that the Governor General and Council did by the ſaid Contract agree for " a Number of Bullocks, exceeding the Number which the Commander in Chief had declared " to be ſufficient for the whole Army, or for a greater Number than the Public Service then " required; and though the Rate at which the ſaid Bullocks were by ſuch new Plan contracted for " was higher than that of the then exiſting Contract, and though from the encreaſed Eſtabliſhment " of Bullocks, and the Proviſion neceſſarily made for its Support, a conſiderable annual Increaſe " of Expence was unavoidably occaſioned, yet he denies that ſuch Increaſe was either wanton, enor- " mous, or unneceſſary.

" And the ſaid Warren Haſtings admits, That the ſaid Reſolution, and the Propoſal contained " in it, were carried into Effect, and that a Contract, in conſequence of it, was made by the Go- " vernor General and Council with Charles Croftes Eſquire; but the ſaid Warren Haſtings denies " that, in agreeing to the Terms of the ſaid Contract, he was in any Manner influenced by Con- " ſiderations of Friendſhip for the ſaid Charles Croftes. And the ſaid Warren Haſtings denies that " the ſaid Contract was productive of any Loſs or Damage to the Eaſt India Company, or that it " was in Violation of the Orders and Directions of the Court of Directors.

" And the ſaid Warren Haſtings ſays, That the ſaid Contract did contain a Clauſe, by which it " was agreed, that it ſhould be lawful for the Eaſt India Company to extend the ſaid Contract for " the Term of One Year beyond the ſaid Term of Five Years, in caſe they ſhould be minded ſo " to do, on One Year's Notice in Writing being for that Purpoſe given by the Governor General " and Council on their Behalf to the Contractor; and that it was by the ſaid Clauſe alſo agreed, " that the ſaid Company ſhould, on or before the Expiration of Four Years from the Day of the " Date of the ſaid Contract, give Notice in Writing whether they ſhould intend to lengthen the " ſaid Contract or not: But in caſe no ſuch Notice ſhould be given, it was agreed, that the ſaid " Contract ſhould continue for the Space of One Year beyond the ſaid Term of Five Years, that " is to ſay, unto the Firſt of September, One thouſand ſeven hundred and eighty-five.

" And the ſaid Warren Haſtings ſays, That the Court of Directors, in their Letter of Eleventh " of April, One thouſand ſeven hundred and eighty-one, did expreſs a Diſapprobation of ſome " Parts of the ſaid Contract, and their Approbation of other Parts thereof; and that the ſaid " Court of Directors did ſignify their Pleaſure reſpecting the Mode to be purſued in caſe of any " future Contract, in the following Terms: 'We therefore direct, that in future no greater 'Number of Draft or Carriage Bullocks be entertained, to be paid for by the Company, than 'ſhall be neceſſary for the Service; that the Terms of the Contract be always advertiſed One 'Year at leaſt before the Expiration of the ſubſiſting Contract; that the loweſt Terms, with good 'Security for the Performance, be accepted; and that no Contract for Bullocks be on any 'Account concluded for a longer Term than Three Years.' " But the ſaid Warren Haſtings de- " nies that the ſaid Court of Directors did give any particular Directions for the Conduct of the ſaid " Governor General and Council in reſpect to the Determination of that Contract, or that they " gave any Order that the Proviſion of Draft and Carriage Bullocks for the Army ſhould in future " be managed by Contract, in preference to any other Mode.

" And the ſaid Warren Haſtings ſays, That the Attention of the Board not being immediately " called to the Terms of the ſaid Contract, the Period of Time at which previous Notice for the " Determination of the ſame ſhould have been given, was accidentally ſuffered to elapſe; in conſe- " quence whereof, the ſaid Contract would, by virtue of the Clauſe herein-before mentioned, have " continued for the Term of Six Years; that is to ſay, till the Firſt of September One thouſand " ſeven hundred and eighty-five, which the ſaid Warren Haſtings admits would have been for a " longer Time than the then Situation of the Eaſt India Company's Affairs in India required: " But the ſaid Warren Haſtings ſays, that to prevent ſuch Continuance, the ſaid Warren Haſtings " did, on the Second February One thouſand ſeven hundred and eighty-four, when, by the " Reſtoration of Peace, a Reduction of the Military Eſtabliſhment in Bengal had become practi- " cable and ſafe, propoſe in Council, and a Majority of the Council did accordingly reſolve, " to purchaſe an immediate Relinquiſhment of the Contract, and the ſame was accordingly pur- " chaſed, after it had been held only Three Years and an half, upon ſuch Terms as to the Board " appeared reaſonable; and which the ſaid Warren Haſtings denies to have been extravagant or " unreaſonable, or that the Eaſt India Company did, by ſuch Purchaſe, ſuſtain great Loſs and " Damage.

" And the ſaid Warren Haſtings ſays, That after ſuch Purchaſe, the Governor General and " Council, the ſaid Warren Haſtings being Governor General, did reſolve, that the Proviſion of " Bullocks for the Army ſhould be conducted by Agency, believing that the ſame might be ma- " naged in ſuch Mode with more Advantage to the Eaſt India Company than by Contract; and did " alſo reſolve, that Sir Charles William Blount ſhould be employed in ſuch Agency: But the ſaid " Warren Haſtings denies that he did, by concurring in ſuch Reſolution, act contrary to his Duty,

" or to the Orders of his Maſters, though he admits that ſuch Mode of conducting the Buſineſs " was afterwards diſapproved by the Court of Directors, as liable to the Objections in the ſaid " Fourth Article ſtated.

" And the ſaid Warren Haſtings denies, That by all or any of the ſeveral Acts ſuppoſed to have " been done or omitted by him the ſaid Warren Haſtings, he was guilty of any Part of the ſup- " poſed Offences or Miſconduct in the ſaid Fourth Article charged againſt him.

" And the ſaid Warren Haſtings further ſays, That the late General Sir Eyre Coote having in " the Month of March, One thouſand ſeven hundred and ſeventy-nine, arrived in Bengal, from " Europe, to take upon himſelf the Command of all the Britiſh Forces in India, then employed " in a perilous and extenſive War, did, in a few Days after his Arrival, deliver in to the Council " of Fort William in Bengal ſeveral Propoſitions, by which he inſiſted that certain Allowances " then paid to General Stibbert, Provincial Commander in Chief on the Bengal Eſtabliſhment, did " devolve upon him the ſaid Sir Eyre Coote, as Commander in Chief. And the ſaid Warren " Haſtings ſays, that the ſaid Allowances ſo claimed had been granted to the ſaid General Stibbert, " partly under a Reſolution of the Governor General and Council, he the ſaid Warren Haſtings " being then Governor General, and having, as he admits, concurred therein, and partly by the ' expreſs Orders of the Court of Directors.

" And the ſaid Warren Haſtings further ſays, That the ſaid Propoſitions were referred by the " Council to the Board of Inſpection, and a Minute was thereupon delivered in by the ſaid Sir " Eyre Coote, ſetting forth the Grounds upon which he had been, on his firſt Arrival, induced to " reſt his aforeſaid Claim, and that he had ſince more fully examined into the ſame; and further " alledging, ' from his long Experience of the Service, the Inſufficiency of his Salary, and that he ' was certain the Court of Directors never meant he ſhould ſuffer in his private Fortune by car- ' rying on the publick Service, and requeſting that ſuch Meaſures might be adopted as might ' prevent any unneceſſary Expence from falling upon the Company, and which would at the ' ſame Time enable him to execute the Duties incumbent on him as their Commander in Chief ' to viſit the ſeveral Stations of the Troops, or to take the Field, if neceſſary, without involving ' himſelf in Expences' which he ſhould be unable to ſupport.' " And the ſaid Board of In- " ſpection having taken the ſame into Conſideration, it was by the ſaid Board determined, he the " ſaid Warren Haſtings being a Member of ſuch Board of Inſpection, and concurring in that De- " termination, that the Allowances made to General Stibbert did not devolve on the ſaid Sir Eyre " Coote, nor ought to be taken away from the ſaid General Stibbert without the further Orders of " the Court of Directors: But in Conſideration of the Matters in the Minute of the ſaid General " Sir Eyre Coote ſet forth, and for other Reaſons, which in the Judgment of the ſaid Board ap- " peared to warrant ſuch Meaſure, did reſolve that the ſaid Sir Eyre Coote ſhould, as Commander " in Chief of the Forces in India, receive, when in the Field, a ſpecified Allowance for himſelf and " his Staff, for the Purpoſe of defraying the extraordinary Expences which his Eſtabliſhment in " the Field would occaſion. And the ſaid Warren Haſtings denies, that by concurring in the ſaid " Reſolutions of the ſaid Board, he acted in the Proſecution of a corrupt or prodigal Syſtem of Go- " vernment, or in Contradiction to his Duty and the Orders of his Superiors, or with any View to " increaſe his own Influence.

" And the ſaid Warren Haſtings ſays, That in the Year One thouſand ſeven hundred and " ſeventy-nine, the ſaid General Sir Eyre Coote having deemed it neceſſary to viſit the different " Stations of the Army, in order to form ſuch Military Arrangements as the Service required, and " it being expected that his Preſence would be moſtly confined to the Grand Poſts of the Army, " ſtationed and employed in the Defence of the Dominions of the Nabob Vizier; and the ſaid " Nabob Vizier being bound to diſcharge the actual Expences of all the Troops employed for the " Protection of the Countries lying beyond the River Carumnaſſa, it was for theſe and other " Reaſons reſolved in Council, on the Propoſal of the ſaid Warren Haſtings, that the Field Allow- " ances and travelling Charges of the ſaid Sir Eyre Coote as Commander in Chief, when in the " Field, ſhould be added to the Debit of the ſaid Vizier's Account as a Part of his general " Subſidy; the ſaid Charge to commence from the Day of the ſaid Commander in Chief's paſſing " the ſaid River Carumnaſſa, and to continue till his Return to the ſame Line; and that the ſaid " Nabob Vizier ſhould be written to on the Subject. And the ſaid Warren Haſtings denies that, " by propoſing or concurring in ſuch Reſolution, he acted in the Proſecution of a Syſtem of Pro- " fuſion or Prodigality, or in any Violation of the Treaty between the Eaſt India Company and " the Nabob Vizier.

" And the ſaid Warren Haſtings admits, That ſome Time in the Month of October One thou- " ſand ſeven hundred and eighty, the Court of Directors, reſerving for a future Opportunity their " full Sentiments and Inſtructions on the Subject, did expreſs a Diſapprobation of the ſaid Allow- " ances, and direct that they ſhould be diſcontinued on the Receipt of ſuch their Order. And " the ſaid Warren Haſtings avers, that the ſaid Allowances were immediately on the Receipt " of the ſaid Order, in obedience thereto, diſcontinued. And he denies that he did, of his " own private Authority, continue to the ſaid Sir Eyre Coote ſuch Allowances as are in the ſaid " Fourth Article ſtated, or that the ſame were, by the Command or Authority of the ſaid " Warren Haſtings, continued to be paid by the Vizier for the Uſe and Behoof of the ſaid Sir " Eyre Coote.

" And

" And the ſaid Warren Haſtings further denies, That in all or any of the Acts, Orders, " Allowances, or Contracts, done, made, granted, or ordered, by the ſaid Warren Haſtings, he " the ſaid Warren Haſtings has been guilty of any Miſconduct, Offence, Crime, or Miſdemeanour " whatſoever.

" And the ſaid Warren Haſtings admits, That, in the Month of December One thouſand " ſeven hundred and eighty, the Governor General and Council, the ſaid Warren Haſtings being " then Governor General, did appoint James Peter Auriol Eſquire to be Agent for providing " Supplies for the Relief of the Preſidency of Madras, at which Settlement there was a great " Scarcity of Proviſions: But the ſaid Warren Haſtings denies that this Meaſure was in purſuance " of any prodigal or corrupt Syſtem of Government, or that the ſame was a Meaſure either " prodigal or corrupt.

" And the ſaid Warren Haſtings, denying that he did unite in his own Perſon all the Powers " of Government, admits that the ſaid Auriol did require the uſual Commiſſion, and that the ſaid " Warren Haſtings and the Council did determine that he ſhould be allowed for the ſaid " Agency a Commiſſion of Fifteen per Cent. upon his Diſburſements, the ſaid Warren Haſtings " and the Council conceiving the ſame to have been, under all the Circumſtances, a proper " Allowance.

" And the ſaid Warren Haſtings admits that the ſaid James Peter Auriol was at the ſame Time, " and by the ſame Authority, appointed Agent of Supplies to the other Preſidencies, and to the " Iſland of St. Helena, with the ſame Commiſſion. And the ſaid Warren Haſtings ſays, That " though the Propoſal of the ſaid Auriol did not extend to the ſaid other Preſidencies, and to the " ſaid Iſland, yet the ſaid Warren Haſtings did believe that there exiſted a Neceſſity of providing " Supplies for the ſame from Bengal, and that the beſt Mode of providing them was by the Way " of Agency.

" And the ſaid Warren Haſtings admits that the ſaid Auriol was, at the Time of ſuch Ap- " pointment, and had been for ſome Time before one of the Secretaries of the Supreme Council, " which Office, at the Time when the ſaid Auriol ſucceeded to the ſame, had, by the public Au- " thority of the Board, ſuffered a Reduction in the regular Salary annexed to it; but the ſaid War- " ren Haſtings, though he does not remember to have made any ſuch Declaration as is in the ſaid " Fourth Article ſtated, and poſitively averring, that neither in the Creation of the ſaid Agency, " nor in fixing the Terms thereof, he was in any Manner actuated by any Motives of private " Favour to the ſaid James Peter Auriol, humbly inſiſts, that the Experience which the Eaſt India " Company had acquired, of the long and laborious Services of the ſaid James Peter Auriol in the " ſaid Office, and of his Abilities and Integrity, did afford a reaſonable Cauſe of Preference in the " Choice of a fit Perſon to execute an Agency of ſo important a Nature.

" And the ſaid Warren Haſtings ſays, That on the Twenty-fifth Day of March, in the Year " One thouſand ſeven hundred and eighty-two, the Governor General and Council, he being then " Governor General, did, as a proper Alteration in the Allowance of the ſaid Agency, reſolve, " That from the Thirty-firſt of December, One thouſand ſeven hundred and eighty-one, the ſaid " Auriol ſhould draw no more Commiſſion on the Freight and Charges of Shipping, or on any " other Charges, than the Rate of Five per Cent. being the cuſtomary Amount drawn by Mer- " chants; but he denies that he was thereby guilty of any criminal Miſrepreſentation whatſoever.

" And the ſaid Warren Haſtings admits that ſome Complaints were made concerning Rice and " other Proviſions ſupplied by the ſaid Auriol, which Complaint having been immediately enquired " into, and ſatisfactorily anſwered, and the proper Execution of the ſaid Contract, on the Part of " the ſaid Auriol, having been fully aſcertained, the ſaid Warren Haſtings further admits he did, " in Concurrence with the other Members of the Council, continue the ſaid Auriol in the ſaid " Agency; but the ſaid Warren Haſtings denies that he did diſcourage any juſt or neceſ- " ſary Enquiry into the Execution of this Service, or any Complaint of the Non-performance " thereof.

" And the ſaid Warren Haſtings denies that in any of the ſuppoſed Declarations, or that by all " or any of the Acts or Deeds by him, touching the Matters aforeſaid, made, done, or com- " mitted, he did violate his Duty, or break the Truſt repoſed in him, or that he was or is guilty " of any Crime or Miſdemeanour whatſoever.

" And the ſaid Warren Haſtings further ſays, That in the Month of November One thouſand " ſeven hundred and ſeventy-ſix, he did, while Governor General, and as Commander in Chief of " Fort William in Bengal, propoſe in Council a Plan for ſupplying, by Means of an Agent, the " Garriſon of that Fort with a continual Store of Proviſions ſufficient for a Siege; which Plan was " approved by the Council; but he denies that he induced them to approve thereof, otherwiſe than " by ſtating the Nature of his ſaid Plan, and his Reaſons for propoſing it; and he admits that the " ſame was a new Plan; but he avers, that an adequate Neceſſity did exiſt for the ſaid Appoint- " ment.

" And the ſaid Warren Haſtings further ſays, That at a ſubſequent Meeting of the Board, they " did, on the Motion of the ſaid Warren Haſtings, appoint John Belli Eſquire to the ſaid Agency; " but the ſaid Warren Haſtings denies, that he did propoſe the ſaid John Belli from a Spirit of cri- " minal Partiality to his own Favourites, as in the ſaid Article is charged; but on the contrary

" avers, that his Recommendation of the ſaid John Belli was made in full Confidence, that the ſaid " Truſt would thereby be faithfully and effectually diſcharged.

" And the ſaid Warren Haſtings further ſays, That in conſequence of a Reference by the " Board to Three Merchants, reſpecting the Rate of Commiſſion to be allowed for providing the " Articles in queſtion, the ſaid Merchants did report their Opinion to be, that no Agent could un- " dertake to ſupply the Stores required, and to keep up the ſpecified Quantity in conſtant good " Order, for leſs than certain Rates therein ſpecified, amounting in the Whole to Twenty Pounds " per Cent.; but the ſaid Warren Haſtings, being convinced from authentic Documents and Cal- " culations, as well as from other Enquiries, that the ſaid Service could not be effectually per- " formed at the Rate of Commiſſion ſo reported, did propoſe, and the Board did reſolve, to fix " the Rate of Commiſſion at Fifteen per Cent. on providing the ſaid Articles, and Fifteen per " Cent. more for Loſſes ariſing from replacing decayed and damaged Stores, and renewing the " whole Depoſit of Victualling Stores every Year, which the ſaid Agent, by his propoſed Engage- " ment, was bound to do: And the ſaid Warren Haſtings ſays, that the ſaid Terms were rea- " ſonable and proper, with a View to the effectual Execution of the ſaid Service.

" And the ſaid Warren Haſtings denies, That he did make any ſuch Engagements or Declara- " tion touching the ſaid Commiſſion, as in the ſaid Fourth Article is charged againſt him; but the " ſaid Warren Haſtings admits, that, in conſequence of ſome Objections being made to the afore- " ſaid Plan of Supply, he did declare to the Effect following, that is to ſay, 'The Utility or Inutility ' of the Meaſure which has given riſe to theſe Objections and Anſwers, will be beſt proved by its ' Effect; and that this may be fairly made, I pledge myſelf that Mr. Belli ſhall keep exact Ac- ' counts of the Purchaſes, Charges, and Expenditure of all the Stores committed to his Charge, ' and I will become reſponſible for his producing them before the Board, if ever the Court of ' Directors ſhall be pleaſed to order it; and that the Profits ariſing therefrom ſhall be paid into the ' Company's Treaſury, and appropriated as they ſhall direct, if they ſhall not deem them the juſt ' Reward of Mr. Belli's Services and Fidelity.'

" And the ſaid Warren Haſtings denies, That he had any Connection or Concern, directly or " indirectly, in the Intereſts of the ſaid John Belli, touching the ſaid Agency, or in any other Re- " ſpect whatſoever.

" And the ſaid Warren Haſtings ſays, That the Court of Directors having, upon an erroneous " Statement of the Profits of the ſaid John Belli, directed a proportionable Reduction of them " to be made; and it appeared that the Amount of the Profits actually received by the ſaid John " Belli were much below the Amount virtually allowed him by the ſaid Orders, the ſaid Warren " Haſtings and the Council did agree that the Subject ſhould again be referred to the Con- " ſideration of the Court of Directors, and the ſame was referred accordingly; but no further " Orders were received from them on that Subject, during the Time the ſaid Warren Haſtings " remained in India.

" And the ſaid Warren Haſtings ſays, That in the Month of Auguſt One thouſand ſeven " hundred and ſeventy-nine, the Board of Council, on the Motion of the ſaid Warren Haſtings, " did agree to convert the Agency of the ſaid John Belli into a Contract for the Space of Five " Years, on the ſame Terms, and at the ſame Rate of Allowance as before mentioned; but the " ſaid Warren Haſtings denies that the ſaid Meaſure was of the Nature, or had the Tendency, or " proceeded from the Motives, in the ſaid Fourth Article charged.

" And the ſaid Warren Haſtings denies, that in all or any of the Declarations, Acts, or Pro- " ceedings by him made, done, propoſed, or perpetrated, or ſuppoſed to have been made, done, " propoſed, or perpetrated, touching the Matters aforeſaid, he the ſaid Warren Haſtings was or " is guilty of any Crime or Miſdemeanour whatſoever.") §

Read, from Book 401, already delivered in, the following Extract of a General Letter from the Board of Trade at Fort William, Bengal, to the Court of Directors, dated 25th November 1780:

General Letter, ſent 1775. General Letter received, dated 15th December 1775. Para. 41.

Par. 18. " Soon after the Inſtitution of our Board, we had Occaſion to appeal to you concerning our Right to the Management of the Ophium Buſineſs, which the Governor General and Council conceiving to belong to the Revenue Department withheld from us. You were pleaſed to direct, that the Sale of the Ophium ſhould be committed to us, and at the ſame Time to declare, that you were reſtrained from entruſting to us the Proviſion of it likewiſe, only by an Opinion of the Provincial Council of Patna expreſſing their own better Competency for this Charge. Accordingly the Sale of the Ophium has reſted in our Department ſeveral Years. We have, from Time to Time, given you an Account of its Produce; and our Conduct in this Buſineſs has not been arraigned from any Quarter. But notwithſtanding theſe Facts, the Governor General and Council, at the ſame Time that they diſclaimed any Intention of implying a Cenſure upon our Management, notified to us, in the Month of May laſt, their Reſolution to take away the Sale of the Ophium from our Department, and to give it to the Superintendant of the Khalſa. Hereby we are, without any aſſigned Reaſon, deprived of a Privilege, which having been formerly queſtioned, was referred to your Honourable Court, and by you deliberately confirmed to us. However averſe to further

On 23d May 1778. 13th June.

References, we cannot avoid humbly to ſubmit this Proceeding to you; and we ſubmit alſo, that having given our Board a Conſtitution, it is abſolutely requiſite for the Preſervation of it, that a Limit be fixed to Changes originating here.

(Signed at the End)

" P. M. Dacres,
E. Stephenſon,
Simeon Droz,
Alex. Higginſon,
Alex. Vanhixtel,
W. Darwood."

Read, the following Extract from the Anſwer of Mr. Haſtings to the Fourth Article of Charge, delivered at the Bar of the Houſe.

" And the ſaid Warren Haſtings further ſays, That, in the Year One thouſand ſeven hundred and eighty-one, at the uſual and proper Period of making the Contract for Opium, the then Situation of Public Affairs having rendered it more expedient to extend the Period for which ſuch Contract ſhould be made, beyond the Term of One Year, the Governor General and Council, the ſaid Warren Haſtings being Governor General, did, in Conſideration thereof, reſolve, 'That 'the Contract for the Proviſion for the Opium produced in Bengal and Bahar ſhould be granted 'to Mr. Stephen Sulivan for the Term of Four Years, on the ſame Conditions as it was then 'held by Mr. Mackenzie, the then Contractor:' But the ſaid Warren Haſtings denies, that the ſaid Contract was made with the ſaid Stephen Sulivan on more advantageous Terms for the Contractor than the ſame would have been made with any other Perſon. And the ſaid Warren Haſtings admits, that the ſaid Contract was made without advertiſing for Propoſals, or receiving from the ſaid Stephen Sulivan any written Propoſals for the ſame; and that the ſaid Contract did not contain any Clauſe, providing that the ſame ſhould be liable to be determined by the Orders of the Court of Directors. But the ſaid Warren Haſtings denies, that any Clauſe was inſerted in the preceding Contract, reſpecting the Determination of the ſame by the Court of Directors, in any other Event than that of their relinquiſhing the excluſive Property in the Trade of Opium, and making it free, in which Caſe the ſaid Contract was to remain in force only for the current Year, of which Event there had ceaſed to be any Probability prior to the Year One thouſand ſeven hundred and eighty-one." (*a*)

Read, from Book 227, already delivered in, the following Extract of a Conſultation of 16th March 1781, beginning at Page 215 of the ſame Book.

" Fort William, the 16th March 1781.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſq. Governor General, Preſident;
and
Edward Wheler Eſq.

Rev. Dept. Friday.

" The following Minute from the Governor General having been delivered on the 13th of this Month, is here recorded, together with the Board's Reſolution in Conſequence.

Gov. General's Minute concerning the Opium Contract.

" As the preſent is the Seaſon for making Advances to the Cultivators of the Opium Lands, and that the Contract has been annually ſettled, the Governor General recommends that it may be granted to Mr. Stephen Sulivan; and, to indemnify the Contractor for any Loſſes which he may eventually ſuſtain in the Proviſion of this Article by any Diſturbances that may happen in the Bahar Province in Conſequence of the preſent Situation of our Affairs, he further recommends that the Contract may be granted for the Term of Four Years from the 1ſt of next September, on the Conditions of the preſent Contract.

Contract granted to Mr. Stephen Sulivan.

" Agreed, That the Contract for the Proviſion of the Opium produced in the Provinces of Bengal and Behar be granted to Mr. Stephen Sulivan for the Term of Four Years, commencing from the 1ſt of next September, on the ſame Conditions as it is held by Mr. Mackenzie, the preſent Contractor.

" Ordered, That the neceſſary Deeds be accordingly drawn up by the Company's Attorney.

(Signed at the End of the Conſultation)

Edwd. Wheler." (*b*)

To prove, that the Defendant reduced the Penalties on the Opium Contract, and made other Arrangements to the Prejudice of the Company and to the Benefit of the Contractor;

(*a*) Vide ſupra, Page 1307.

(*b*) Vide Appendix, N° CLXXX.

Read,

Read, alſo, the following Extract from a Conſultation of 22d May 1781, beginning at Page 628 of the ſame Book.

" Fort William, the 22d May 1781.

Rev. Dept. Friday.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſq. Governor General, Preſident;
and
Edward Wheler Eſq.

Board's Obſervation regarding the Penalty to Mr. Sulivan's Contract for Opium, &c.

" No Penalty having been yet ſettled for the Contract granted to Mr. Sulivan for the Proviſion of Opium in the Province of Bengal and Bahar,

Reſolution thereon.

" Agreed, That it be limited to Two Lacks of current Rupees, the Board being of Opinion that if it was fixed in Proportion to the Penalty annexed to the preſent Contract, the Magnitude of the Sum would defeat the Intent of the Stipulation, by preventing the Penalty being exacted in Caſe of a Breach on the Part of the Contractor.

Mr. Sulivan called on for his Securities.

" Ordered, That Mr. Sullivan be called on for the Names of his Securities.

(Signed, at the End of the Conſultation,)

" Edw[d] Wheler." (*a*)

Read, alſo, the following Extract of a Conſultation of 25th May 1781, beginning at Page 631 of the ſame Book.

" Fort William, 25th May 1781.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
and
Edward Wheler Eſquire.

Secretary's Remarks thereon.

" The Secretary having compared the Draft of Mr. Sulivan's Contract for the Proviſion of Opium with that of Mr. Mackenzie the preſent Contractor for the ſame Article, ſubmits the following Remarks thereon, for the Orders of the Board.

" Secretary's Remarks.	" Governor General's Obſervations.
" 1ſt. Mr. Sulivan's Contract expreſſes its being made with the United Company, Mr. Mackenzie's by the Governor General and Council on their Part.	" It muſt expreſs, that it is made by the Governor General and Council on the Behalf of the Company, not by the Company.
" 2d. Mr. Sulivan's Contract is ſaid to be founded in like Manner with the other, on certain written Propoſals made by him, whereas none ſuch have been made.	" This Reference muſt therefore be omitted.
" 3d. Mr. Sulivan propoſes that the Ophium ſhall be delivered by him to the Company's Servants at the Khalſa, with ſuch Allowance for tranſporting it as was given to the former Contractor; it was formerly covenanted to be delivered to the Provincial Councils, and there is no mention of any Allowance for the Expence.	" The Opium is to be delivered at the Khalſa, as it is by the preſent Contractor, who, as I recollect, is allowed the Charge of tranſporting it by an Order of the Board. This Allowance, whatever it be, ſhould be expreſſed.
" 4th. Mr. Sulivan objects to the Clauſe in Mr. Mackenzie's Contract, rendering it liable to be determined by Orders from the Company.	" This is now unneceſſary. It was intended to give Time for the Effect of an Appeal to the Court of Directors, who have approved the Contract.

(Signed at the End of the Conſultation,)

" Edw[d]. Wheler." (*b*)

Read, from Book 262, already delivered in, the following Extract of a Conſultation of the 5th June 1781, beginning at Page 128 of the ſame Book.

" Fort William, 5th June 1781.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſq. Governor General, Preſident;
and
Edward Wheler Eſquire.

Secretary's Remarks regarding the Blanks in the Contract.

" The Secretary obſerves to the Board, that Two Blanks have been left in the Opium Contract, One for the Allowance to be made to the Contractor for tranſporting the Bengal Opium to Calcutta. The Secretary does not find on Examination of the Proceedings, any Reſolution authoriſing Mr. Mackenzie, the preſent Contractor, to draw an Allowance for this Service; but he lays before the Board an Account current between the Company and that Contractor's Agent at Patna, dated

(*a*) Vide Appendix, N° CLXXXI.

(*b*) Vide Appendix, N° CLXXXII.

the

the 14th of laſt January, in which there appears a Charge on this Account of Ten Current Rupees per Cheſt; likewiſe an Account of Opium manufactured and diſpatched in the Year 1776 from Boglepore, which ſhews that rather more than this Sum was drawn for every Cheſt packed and tranſported from thence. From the other Diſtricts in Bengal, viz. Purnea, Rungpore, &c. the Expence of Tranſportation muſt have been greater, as the Opium was carried over Land ſome Diſtance before it could be diſpatched, whereas Boglepore is upon the Confines of the River.

" Agreed, That an Allowance of Ten current Rupees be made to the Contractor, for the Expence of Delivery of every Cheſt, with Contingencies both of the Bengal and Bahar Opium, and that the Blanks in the Deeds be filled accordingly. Allowance granted the Contractor for the Delivery of the Opium.

" There being no longer Occaſion for Inſpectors to ſuperintend the Manufacture of the Opium delivered by the Contractor, ſince the Reaſons which induced the Board to appoint thoſe Officers no longer exiſt,

" Reſolved, That their Appointments be aboliſhed; and ordered, that this Reſolution be communicated to them by the Secretary. Reſolution thereon,

" The Clauſe in the Contract referring to the above Officers is accordingly omitted; and it is expreſſed generally, that on the Arrival of the Opium at Calcutta, it ſhall be ſubject to the Inſpection and Controul of ſuch Perſons as the Governor General and Council may appoint for that Purpoſe. and Alteration in Conſequence in the Controul.

" The Contract being now executed by the Board; Contract executed.

" Ordered, That a Copy thereof be entered after this Day's Proceedings. Copy to be entered after Proceedings.

(Signed at the End) Edwd. Wheler." (*a*)

Read, alſo, the following Extract from the Anſwer of Mr. Haſtings to the Fourth Article of Charge, delivered at the Bar of the Houſe.

" And the ſaid Warren Haſtings denies, That he did take away Reſtrictions uſually and providently impoſed upon the Contractor in Contracts of that Nature; but he admits that he, as Governor General, and the Council did reſolve, that there being no longer Occaſion for Inſpectors to ſuperintend the Manufacture of the Opium delivered by the Contractor, ſince the Reaſons which induced the Board to appoint thoſe Officers no longer exiſted, their Appointments ſhould be aboliſhed; and, in lieu thereof, it was in the ſaid Contract of the ſaid Stephen Sulivan ſtipulated, That, on the Arrival of the Opium at Calcutta, it ſhould be ſubject to the Inſpection and Controul of ſuch Perſons as the Governor General and Council might appoint for that Purpoſe. And the ſaid Warren Haſtings inſiſts, that the Regulation ſubſtituted by the Governor General and Council, in lieu of ſuch Inſpection, did as effectually guard againſt the Commiſſion of any Fraud by the Contractor, and was in other Reſpects more advantageous to the Eaſt India Company.

To prove that the Inſpectors, aboliſhed upon this Occaſion, had been formerly found very uſeful to the Revenue in diſcovering ſuch Articles as would be miſchievous to the Company by deſtroying the Credit of their Trade,

Read, from Book 406, already delivered in, the following Extract of a Conſultation of 10th June 1777, beginning at Page 206 of the ſame Book.

" Fort William, the 10th June 1777.

" At a Council; Preſent, Rev. Dept. Tueſday.

The Honourable Warren Haſtings Eſq. Governor General, Preſident;
Lieutenant General John Clavering,
Richard Barwell,
and
Philip Francis,
} Eſquires.

" Read, and approved the Proceedings of the 6th inſtant.

" Read, the following Letters and Encloſures from the Board of Trade. Board of Trade.

" To the Honourable Warren Haſtings Eſquire, Governor General, and the Reſt of the Gentlemen of the Council of Revenue. L. R. No. 273.

" Honble Sir, and Gentlemen,

" We think it neceſſary to recommend to your Obſervation the accompanying Report, made to us by our Agent for receiving the Bengal Opium, of 269 Cheſts of the Rungpore Proviſion lately arrived here.

(Signed at the End of the Letter)

" Wm. Alderſey,
Chas. Bentley,
William Barton,
Nathl. Bateman,
H. Cottrell,
Simeon Droz." (*b*)

" Fort William,
24 May 1777.

(*a*) Vide Appendix, N° CLXXXIII.

(*b*) Vide Appendix, N° CLXXXIV.

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 218 of the ſame Book, as follows:

" Report from Mr. Peter John Flor.

" In Conformity to the Directions of William Alderſey Eſquire, Preſident, &c. Gentlemen of the Board of Trade, I have examined Two hundred and ſixty-nine Cheſts of Rungpore Opium, received from the Provincial Council of Dinagepore, and this Day diſpatched by me to the Preſidency on Account of the Honble. Company. From repeated Trials, there appears a very ſmall Portion of the Gum Reſin, which conſtitutes the eſſential Characteriſtic of genuine Opium; but I find, after Solution, a gritty Sediment, partaking of a ſour fermented Scent, which indicates a Mixture of a farinaceous vegetable Subſtance, foreign to the Juice of the Poppy; and I apprehend this heterogeneous Mixture will materially affect the Sales as well as the Weight of this Opium.

" Rungpore, (Signed)
the 1st of April 1777. " Peter John Flor." (*a*)

Read, alſo, from Book 42, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 12th July 1782.

" Neither can we approve of your having aboliſhed the Office of Inſpector, and at the ſame Time ordering all the Opium to be conſigned to the Vendue Maſter, allowing him a Commiſſion thereon, when, in our Opinion, it ſhould have been ſent to the Board of Revenue, or the Board of Commerce.

(Signed at the End)

" Robt Gregory, Chas Boddam, John Smith, W. Devaynes,
Henry Fletcher, John Hunter, John Roberts, George Cuming,
John Harriſon, Joſeph Sparkes, Step. Luſhington, Jas Moffatt,
George Tatem, R. Hall, Ben. Booth, Nathl Smith." (*b*)
Jacb Wilkinſon,

Read, alſo, the following Extract from the Anſwer of Mr. Haſtings to the Fourth Article of Charge, delivered at the Bar of the Houſe.

" And the ſaid Warren Haſtings denies, That the ſaid Sulivan did not ever execute, or attempt to execute, the ſaid Contract; but whether the ſaid Sulivan did, on or before the Execution of the Articles between him and the Governor General and Council, transfer his Intereſt in the ſaid Contract to John Benn Eſquire, or whether the ſaid Benn did afterwards transfer the ſame to any other Perſon, the ſaid Warren Haſtings declares himſelf ignorant, except as he has heard the ſame by Report ſince his Arrival in England, or has been informed by the ſaid Articles, and the Proceedings before the Honourable the Houſe of Commons, touching him the ſaid Warren Haſtings."

To prove that Mr. Sulivan ſold his Intereſt in the Contract to Mr. Benn, and what Money Mr. Benn paid for it; and alſo to prove that Mr. Benn ſold his Intereſt again to a Third Perſon, and to prove what Money he received from that Third Perſon for it;

The Managers for the Commons deſired Mr. Benn might be again called in.

Mr. Benn was accordingly called in, and examined as follows:

Q. Had you any, and what Intereſt in a Contract for the Supply of Opium at Bengal and Bahar?
A. I had an Intereſt in it by Purchaſe.

Q. From whom did you purchaſe it?
A. From Mr. Sulivan.

Q. What did you pay for it?
A. I paid at various Times the Sum of Three Lack, and fifty thouſand Rupees, at different Payments:—Sicca Rupees.

Q. Relate the Manner in which you firſt entered into this Tranſaction: In what Manner, and at what Time, and in what Converſation, you firſt entered into this Treaty.

The Counſel for the Defendant objected to the Queſtion.

Q. When did you firſt treat with Mr. Sulivan upon the Subject; and at what Date did you conclude the Agreement?
A. I do not exactly recollect the preciſe Day of the Agreement; but it muſt have been, I think, in the Months of November and December.

(*a*) Vide Appendix, N° CLXXXIV. (*b*) Vide Appendix, N° CLXXXV.

Q. In

Q. In what Year?
A. The Year preceding the Date of the Contract: I think the Contract was in 1781; and therefore in November or December 1780, to the beſt of my Recollection.

Q. Do you mean the firſt Mention of it?
A. Yes.

Q. When was the Bargain finally concluded?
A. That could not be till after the Signature of the Contract; but I conſidered myſelf bound to Mr. Sulivan ſome Time before: Of Courſe I had ſeveral Converſations with Mr. Sulivan prior to entering into ſuch a very large Concern as that; but I think I finally determined to take it of him in the Months of November or December 1780.—Suppoſing it to take Place, and Mr. Sulivan to have it on the Terms of the former Contract from Government, I agreed to take it of him on the Terms I before ſtated.—It was in November or December 1780: I think it was prior to January 1781.

Q. Whether you ſold this Contract again?
A. I did.

Q. To whom?
A. To Mr. Young, except a ſmall Part that lay at a great Diſtance.

Q. What did you receive from Mr. Young for that Sale?
A. I received Payments by Inſtallments, in the Courſe of Four Years, of what in Engliſh Money, I believe, would be 60,000*l.*: I think ſo, or near it.

Q. When did you transfer your Intereſt to Mr. Young?
A. A conſiderable Time after; ſome Months; but I really do not recollect. I have no Engagement to refer to for Dates. I truſt to my Memory for the Dates.

Q. Did you ever do any Act in Execution of that Contract?
A. I think I addreſſed ſome Letters to the Board as the Agent of Mr. Sulivan.

Q. (*by a Lord.*) To what Board?
A. To the Government in India.

Q. (*by the Managers.*) Can you fix the Date when you made your Agreement with Mr. Young?—When was it? Was it prior to September?
A. Yes; it was prior to September 1781 that I made the Agreement with Mr. Young.

Q. What was the Occaſion of your diſpoſing of that Contract?

The Counſel for the Defendant objected to the Queſtion.

Q. (*Croſs examined.*) Whether you know whether Mr. Haſtings was privy to any Aſſignment made of that Contract from Mr. Sulivan to you, or from you to Mr. Young?
A. No; I know of no Knowledge Mr. Haſtings had of any Tranſactions between Mr. Sulivan and me, or between Mr. Young and me.

Q. Had you any Reaſon for knowing when Mr. Haſtings was firſt apprized of any Aſſignment of this Contract; and when did you firſt communicate with Mr. Haſtings on the Subject of any ſuch Aſſignment?
A. I know when it was firſt communicated to him from myſelf, which was in England.

Q. When?
A. I am not quite prepared with the exact Date: But I know it was in England, after my Arrival in England.

Q. When did you arrive in England?
A. In September 1786.

Q. State the Terms and Manner of that Communication?
A. Some Time after my Arrival in England, I called upon Mr. Haſtings. I went into his Houſe, and he deſired me to walk into a private Room with him. I did ſo. He there told me, that a Charge had been mentioned to him in England of his having diſpoſed of a Contract to Mr. Sulivan; that Mr. Sulivan had afterwards aſſigned his Contract to me, as ſtated by the Honourable Houſe of Commons in their Charge; but it was prior to the Charge being made. I told him, that I did not conſider that as a fair Queſtion to be propoſed to me; that I had no Concern with the Government in this; and that if he wiſhed for any Information upon it, he muſt apply to Mr. Sulivan, who could anſwer him.

Q. Did your Converſation end there?
A. He told me Mr. Sulivan was not in London. I think he ſaid he was at Weymouth. I told him, I muſt refuſe anſwering that Queſtion, and muſt refer him to Mr. Sulivan; for it was a private

vate Tranſaction between Mr. Sulivan and myſelf, which I thought he, as Governor, had no Right to enquire into; that he knew Mr. Sulivan perfectly well, and that though I was not bound to Secrecy, yet I conſidered it as an individual Tranſaction, which I rather choſe not to mention, conſidering Mr. Sulivan rather as the Principal in it. Some Time after this, I paid a ſecond Viſit to Mr. Haſtings:—This was after the Examination of Mr. Young in the Houſe of Commons. I think he then aſked me, if that was true? I again referred him to Mr. Sulivan for his Part of it. He ſaid it was in vain; that Mr. Young had ſo aſſerted in the Houſe of Commons; that it was unneceſſary to conceal it any longer.

Q. Did you, when in India, induſtriouſly conceal, at the Time, the Circumſtance of this Contract of Sale, from Mr. Haſtings?

A. I concealed it from every Body; it was not particularly concealed from Mr. Haſtings, but from every Body. I had the Poſſeſſion of ſomething I thought to my own Advantage; I gained this by my own Induſtry, by a Knowledge of the Opium, and I did not chuſe to converſe upon it, becauſe others would have immediately purſued the ſame Plan.

Q. Whether you had ſuch a particular Knowledge of the Subject of this Contract, as to render it more advantageous in your Hands than it probably would have been in the Hands of any other Perſon?

A. I cannot ſay any other Perſon, but I believe there were very few Men who could make that Advantage of it.

Q. Give your Reaſons, why it would be more advantageous; and ſtate the Circumſtances of your ſuperiour Knowledge upon the Subject.

A. It had been the Object of my Attention for at leaſt Three Years previous to it.

Q. What Information had you collected that enabled you to undertake this Contract upon the Terms on which you took it from Mr. Sulivan; what Mode did you deviſe of carrying on the Contract in a more beneficial Way than other People had done before him?

A. The Mode by which I intended to carry it on, ſuppoſing I had undertaken it, was to have reſided at Patna, much in the ſame Manner Mr. Young did; and I ſhould have had it from the firſt Hand, and been the Manufacturer chiefly myſelf. There was alſo a Clauſe in the Contract, that a certain Quantity was to be delivered, which I believe was ſuppoſed to be the Whole, or nearly the Whole, that could be produced. But there was a Clauſe giving an additional Premium—

The Witneſs was informed, he muſt not mention the Contents of the Contract.

Q. Was it not your Purpoſe to deſtroy the intermediate Agency in that Contract?

——— No Anſwer.

Q. Whether the Sum you have mentioned, of 60,000 *l.* did not include the 40,000 *l.* you had paid to Mr. Sulivan?

A. Moſt certainly.

Q. You have ſaid, Payments were made to you by Inſtalments to the Amount of 60,000 *l.* in Engliſh Money. Whether out of that 60,000 *l.* which you ſtate yourſelf to have received, you did not pay the Sum of 3,50,000 Sicca Rupees, which you ſtate yourſelf to have paid to Mr. Sulivan?

A. Yes.

Q. Whether you did not, on ſome Occaſions, correſpond with the Board *eo nomine*, as the Agent of Mr. Sulivan, after the Aſſignment?

A. Yes, I did.

Q. *(by a Lord.)* How long did you hold the Contract before you transferred it to Mr. Young?

A. I have already given it in Evidence, that it was ſome Time prior to September 1781.

Q. *(by Counſel.)* Do you know the Prices at which the Patna Council, or any former Proprietors of this Contract, purchaſed of the Ryots?

A. I was not then in the Country.

Q. Do you know the medium Price of the Article at which the Patna, or any former Contractors, had bought it of the Ryots prior to your Contract?

A. I do not exactly know it.

Q. Was it much under the Sum of 190 Rupees per Cheſt, at which Rate Mr. Mackenzie's and Mr. Griffith's Contracts were formed; how much under?

A. Do you mean, bought for the Company by that?

Q. Tell both; firſt, the Sums at which the Company bought it of them; and then, the Price it was bought at from the Ryots?

A. Thoſe Contracts of Mr. Mackenzie and Mr. Griffiths are upon the Records; it appears upon the Records.

Q. (*by a Lord.*) Can you yourſelf ſtate, of your own Knowledge, at what Price Mr. Mackenzie and Mr. Griffiths bought it?

A. No; I do not know what they paid for it.

Q. (*by Counſel.*) Do you know that it had never been bought ſo low as you could purchaſe it?

A. No. I believe it has always been a Monopoly for many Years. I believe the Management of it was formerly in the Hands of the Natives; they were the Factors, and the Council received it from them. I ſhould have taken the Situation of the Native, not of the Council at Patna.

Q. (*by a Lord.*) You entered into the Contract with a View to take the Situation of the Native?

A. Yes.

Q. By the Terms of your Contract, the Company was to make an Advance of Part or of the Whole of the Money to be paid in each Year?

A. No; by the Terms of the Contract they were to advance Half in the Courſe of the Year: The Contract is here.

Q. (*by a Lord.*) In what Manner was the Advance to be made?

A. I believe the Terms of the Contract were, that Half the Sum to be paid for the Quantity contracted for was to be paid ſhortly after the Commencement of it; that another Portion was to be paid ſome Time after, and the remaining One Fourth was to be paid, I think, at the Concluſion of it; at the End of the Year in each Year. I have not ſeen the Contract ſo long, I cannot recollect exactly.

Q. (*by Counſel.*) Whether thoſe Advances ſo ſtipulated to be made on the Part of the Company were ſufficient of themſelves to enable you to carry on that Contract without a further Capital?

A. No; I think not.

Q. State the Amount of thoſe Advances, and the Amount of that further Capital which would be neceſſary to carry on the Contract?

A. The Amount of the Advances is aſcertained in the Contract, the Number of Cheſts being ſpecified, and the Advances to be made upon that Quantity contracted for; but for the additional Quantity there is no Proviſion made.

Q. What further Addition to the Capital was neceſſary for carrying on this Contract?

A. I think the Capital altogether employed in that Contract would have required 140,000 l. annually: I mean for the whole Tranſaction.

Q. (*by a Lord.*) That Contract gave you the Monopoly of the Opium: Did it not?

A. Yes.

Q. Then to carry it on would require ſome Capital?

A. Yes.

Q. What Capital?

A. 140,000 l. for the Whole annually; but there is a Part of it ſupplied by the Company, which the Terms of that Contract will ſhew.

Q. (*by Counſel.*) Is the Traffic attended with any particular Riſque?

A. Yes; it is attended with Riſque. I believe I loſt above 1,000 l. in one Night, not in Bahar, but a Part at a Diſtance that was not under Mr. Young.

Q. Had you any Idea, when Mr. Young propoſed to give you the Encreaſe he did upon the Terms of your Contract, that it was capable of being productive and beneficial to that Amount?

A. I thought his Offer as much to the full as I could have made by it.

Q. You did not conceive that it left the Sub-contractor then any adequate Share of Profit?

A. It did not appear to me that it would be great; but certainly in a Tranſaction that would require ſo large a Sum, no Man in his Senſes would undertake it if he did not expect to get Advantage by it.

Q. Do you not believe this Ignorance of the Value was not only not confined to Mr. Haſtings, but that the Merchants in the Province in general were ignorant of its being ſo beneficial a Trade?

A. I believe they were.

Q. Do you know how much Advantage the Company reaped from this Contract?

A. I know it from having looked at the Accounts of the Company of their Sales; of Courſe I know the Accounts of the Contractors.

Q. What was the Amount that the Company made during theſe Four Years?

A. I certainly looked at theſe Accounts once, with a view to ſee what the Company did gain by it, and it appeared to me then that their Gains were not leſs than Six or Seven Lacks of Rupees a Year; that multiplied by Four will make up the Sum. That may be eaſily aſcertained by looking

looking to the Accounts themſelves. I ſpeak to the beſt of my Recollection; and I believe I am pretty accurate.

Q. Whether you do not think, with a View to a Check upon the Adulteration of Opium, and the ſupplying the Company with a bad Commodity, it was more advantageous to ſtation an Inſpector at Calcutta, where the Conſumption was to be, rather than at Bahar, where they uſed to be?

A. It was to be ſold in Calcutta; and, by the Terms of the Contract, it was to be there inſpected and ſeen there that it was ſaleable; that appeared to me the Advantage. In the one Way it was inſpected during the Progreſs, and the Contractor was no longer anſwerable for it than at Patna: In the other Caſe, he was anſwerable for it at the Place of Sale.

Q. Whether you have not Reaſon to know, that at One Time Mr. Young would have been glad to have got rid of the Bargain by giving a Lack of Rupees to be rid of it?

A. I underſtood, when Mr. Young firſt undertook it he was much alarmed on Account of the Diſturbances at Benares.—Certainly the Sum he had advanced was very large, and he was apprehenſive it would have been loſt; and I believe he would at that Time have been very glad to have got rid of it; but he made no direct Propoſition to me.

Q. (*by the Managers.*) Whether you executed any Part of this Contract?

A. No; I have ſaid I did not.—Only the Letters I wrote to the Board.

Q. Whether, during the Execution of this Contract by Mr. Young, you ever inſpected it at all?

A. No; certainly not.

Q. Whether you knew, during that Period of Time, any Thing of the Detail of it at all?

A. Yes, long before.

Q. I mean, during the Time in which the Contract was executed, did you know any Thing of it at all?

A. No; certainly not. I had nothing to do with the Management of it. I made it over to Mr. Young.

Q. Whether you could have afforded to have given to Government the ſame Profit you gave to Mr. Sulivan, if the Contract had been advertiſed?

A. Undoubtedly.

Q. Why, therefore, did you not make that Offer to Government?

The Counſel for the Defendant objected to the Queſtion.

Q. Why did you chuſe to negotiate with Mr. Sulivan, and not with Government?

The Counſel for the Defendant objected to the Queſtion.

Q. Why did you chuſe to negotiate with Mr. Sulivan when he was not a Contractor with Government?

The Counſel for the Defendant objected to the Queſtion.

Q. Did any Fact come to your Knowledge, which induced you to purchaſe the Contract from Mr. Sulivan who had it not, rather than from the Government who had it to give?——Did any Fact come to your Knowledge, and ſtate it, that induced you to apply to Mr. Sulivan before the Month of September 1781?

A. In Converſation, I underſtood——

Q. (*by Counſel.*) Was that with Mr. Sulivan?

A. Yes.

The Counſel for the Defendant objected to the Witneſs' proceeding in his Anſwer.

Q. (*by a Lord.*) Had you any Converſation with Mr. Haſtings, or Anybody, that Mr. Haſtings avowed as his Agent in theſe Tranſactions, or in the Preſence of Mr. Haſtings?

A. No: I had not.

Q. (*by Managers.*) A Queſtion has been put, how Opium was purchaſed of the Ryots by former Contractors: Did you propoſe to purchaſe it from the Ryots, or did you mean to have it wrought for your own Benefit and Advantage?

A. At the Time I made my Agreement with Mr. Sulivan, it was my Intention to have reſided at Patna; to have purchaſed it from the Ryots, and to have manufactured it myſelf; perhaps at ſome more diſtant Part I could not have done that; but, generally, that was my Intention.

Q. What Portion of the Opium Buſineſs did you retain in your own Hands, and not transfer to Mr. Young?

A. There was one Part at Boglepore, and another at Purneah.

Q. Any more?

A. No. I do not immediately recollect the ſmall Places that might go under thoſe general Names.

Q. What

Q. What Proportion might that be of the whole Quantity of Opium to be furniſhed to the Company?

A. I do not recollect. The Contract was generally made for the whole Province; and I was to ſecure the Monopoly as well as I could.

Q. (*by Counſel.*) Was your Purchaſe from Mr. Sulivan, and the Re-ſale to Mr. Young, in Writing?

A. My Purchaſe from Mr. Sulivan was in Writing.

The Counſel for the Defendant objected to any other Evidence of the Contents of this Contract.

Q. (*by Counſel.*) Was your Sale to Mr. Young in Writing?

A. Mr. Young and I put upon Paper at firſt the Terms of our Agreement; but thoſe Terms were not adhered to; we mutually agreed to abandon ſome of them; and there was no written Agreement of what really was the Tranſaction between us; we did not proceed agreeable to the original Plan.

Q. The final Agreement was not in Writing?

A. The final Agreement was not in Writing, with Mr. Young.

Q. With Mr. Sulivan it was?

A. With Mr. Sulivan it was.

Q. (*by Managers.*) Whether, or no, your Contract with Mr. Sulivan was a Thing pretty generally talked of, or a profound Secret?

The Counſel for the Defendant objected to the Queſtion.

Q. Have you got the Inſtrument here?

A. No.

Q. Where is it?

A. I left it in India. Mr. Sulivan is in England, and he may have it perhaps.

Q. The Queſtion has been aſked, whether Mr. Haſtings had any probable Knowledge of the Buſineſs? Was this kept ſo profound a Secret, as that you believe it was generally unknown at Calcutta?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord.*) Whether you made any Application to the Governor General for the Opium Contract?

A. No; I never did.

Q. Whether you took any Steps to obtain Information in order to be a Bidder at any public Auction, which you had Reaſon to expect from the Orders of the Directors?

A. I made every Enquiry I poſſibly could.

Q. Whether you prepared yourſelf, from any Information, to be a Bidder at the Auction?

A. I had prepared myſelf with every Information I was able, certainly with a View to my own Advantage in it; and whether it was a Contract from Government, or from an Individual, was to me immaterial.

Q. (*by a Lord.*) What was the Extent of that Part of the Contract you retained, and did not ſell to Mr. Young; what aliquot Part was that of the whole Contract?

A. I really do not remember.

Q. Was it Twenty, Ten, or Five?

A. I really do not recollect.

Q. What Sum of Money you received for the Sale of that Contract?

A. I do not know. I certainly gained upon it; but what Sum I do not recollect: There were ſome Adjuſtments of Accounts with the Gentlemen who managed it; what the Sum total was I cannot tell.

Q. Who were the Gentlemen?

A. One was Mr. Walker; but a Mr. Howarth bought the whole generally; Mr. Howarth undertook the Whole.

Q. Does your Memory fail you to that Extent, that you cannot give an Account of the direct Sum of Profit you made by the Sale of that Part of the Contract?

A. I cannot, to the exact Amount; I think I made 7000 *l.* by it; but I do not give it as the exact Sum.

Q. Then

Q. Then you gained upon that Part about One Fourth of the Whole?

A. Yes, I think I did; I do not exactly recollect. My Expectations were certainly greater than I received from that Part; but the exact Sum I cannot aſcertain; I thought I ſhould have received more from Bengal, from that Part of Bengal.

Q. (*by Managers.*) Whether this was a Matter talked of in Calcutta: Aye or no?

A. Certainly at the Time I made this Agreement it was not known; it tranſpired afterwards, and was talked of; ſeveral have talked to me about it, but not One of them I found knew it; only generally that ſuch a Thing had been done. I thought you had aſked whether I had communicated it to Mr. Haſtings.

The Witneſs was directed to withdraw.

Then the Houſe adjourned to the Chamber of Parliament.

Die Mercurii, 25° *Maii* 1791.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker informed the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons ſtated, they ſhould read the Order of the Court of Directors in 1754, reſpecting the Conduct of this Contract.

Read, from Book 420, already delivered in, the following Extract of a Letter from the Court of Directors to the Preſident and Council at Fort William, in Bengal, dated 29th November 1754, beginning at Page 86 of the ſame Book.

Par. 40. " You are to give publick Notice, that you will receive Propoſals in Writing, at Boards to be held for the Purpoſe, from all Perſons indifferently (our own Servants excepted) who are willing to furniſh you with Materials of all Kinds; and the Perſon or Perſons who offer at the loweſt Rates, provided the Materials are good, are to be contracted with.

(Signed at the End)

" Roger Drake, Chairman,
Richard Chauncy, Deputy;

W. Willy,	W. Mabbott,
Cha. Gough,	N. Newnham junr.
W. Wilberforce junr,	John Payne,
Hy Crabb Boulton,	Cha. Cutts,
Z. P. Fonnereau,	Whichcott Turner,
Nichs Linwood,	P. Godfrey,
Stephen Law,	Robt Jones.

Read, from Book 407, already delivered in, the following Extract of a Conſultation of the 10th of May 1771.

" Fort William, the 10th May 1776. Rev. Dep. Friday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" Read, the following Letters from Mr. Griffith and Mr. Wilton, the Ophium Contractors.

" To the Honourable Warren Haſtings Eſquire, Governor General, and the other Gentlemen of the Council of Revenue Fort William. Letter from Mr. Griffith, Bahar Ophium Contractor. L. R. No. 306.

" The Manufacture of Opium is an Act which requires long Experience, joined with the moſt minute Attention, to become Maſter of; I had made it an Object of my particular Enquiries long before I undertook my Contract, and am convinced that great Improvements may be made on the preſent Mode. This, however, cannot be hoped for but by the continued Study and Obſervation of the ſame Contractor. (*a*)

(Signed) " Richard Griffith.

(And at the End of the Conſultation)

" Warren Haſtings,
J. Clavering,
Richd Barwell,
P. Francis."

(*a*) Vide Appendix, N° CLXXXVI.

Then the Managers for the Commons ſtated, that they ſhould proceed in that Part of the Examination with which they had left off the preceding Day; for which Purpoſe, they deſired Mr. Young might be again called in.

Mr. YOUNG was accordingly called in, and examined as follows:

Q. State what Intereſt you had under the Opium Contract in 1781?
A. I purchaſed it.

Q. What did you pay for the Purchaſe of it?
A. I paid 149,000 Sicca Rupees annually; to be paid by Inſtalments.

Q. Of whom did you purchaſe it?
A. I purchaſed it of Mr. John Benn.

Q. At what Time did you make the Agreement for that Purchaſe?
A. Various Converſations had paſſed between Mr. Benn and me upon the Subject as early as the Month of April 1781, relative to the Purchaſe, and it was about that Time finally underſtood and agreed between us, that I ſhould have the Management of it.

Q. Whether you did not find the Concern a profitable one to yourſelf?
A. I did.

Q. To what Amount, or nearly to what Amount, did you derive Profit from that Contract to yourſelf?

The Witneſs ſubmitted, whether the Queſtion was proper to be put.
He was directed to anſwer the Queſtion.

Q. Did you derive conſiderable Profit from it?
A. I did.

Q. Upon the Expiration of this Contract of 1781, you was yourſelf the Contractor with Government afterwards?
A. I was: I entered into the Engagement jointly with Mr. Patrick Heatly in 1785.

Q. (*by Counſel.*) Was that Contract in Writing?

The Managers for the Commons ſtated, That they did not mean to examine as to the Terms of the Contract.

Q. (*by the Managers.*) Did you derive a conſiderable Profit under your Engagement in 1785?
——No Anſwer.

Q. Would you have taken the Contract from Government in 1781, upon the Terms in which you took it in 1785?
A. No; certainly not.

Q. Would you have taken it from Government upon the Terms on which you took it from Mr. Benn in 1781?
A. Yes; I certainly would.

Q. Why did you deal with Mr. Benn for the Opium Buſineſs?
A. Becauſe I was convinced that by concluding a Bargain with Mr. Benn it would be profitable to myſelf.

Q. Why did you engage with Mr. Benn rather than with Government?

The Queſtion was objected to by the Counſel for the Defendant.

A. I made no Application to Mr. Benn originally: He conſulted me upon the Buſineſs originally —and it was in Conſequence of various Converſations between Mr. Benn and me; as alſo ſome previous Correſpondence upon the Subject.

Q. At what Time was the firſt Correſpondence and Converſations with Mr. Benn upon the Subject?
A. I cannot ſtate accurately from Memory, but it was in, or before, April 1781.

Q. Why did you chuſe rather to engage with Mr. Benn than with any other Perſon — What led you to apply to Mr. Benn?
A. I beg to ſtate, that I made no Application to Mr. Benn, he made Application to me; he firſt conſulted me upon the Subject; and from thence I firſt came to the Knowledge that any ſuch Tranſaction was in Agitation.

Q. How came you to know that Mr. Benn had any Thing to do with it?
A. He informed me of it.

Q. Informed

Q. Informed you of what?

The Counſel for the Defendant objected to the Queſtion.

Q. Did Mr. Benn inform you he had a Concern in that Buſineſs?
A. Mr. Benn did.

Q. Did he inform you how he came by it?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether or no the Tranſaction concerning the Sale of the Opium was, as far as you can judge of it, a profound Secret or not; that is, that it was promiſed firſt to Mr. Sulivan, and then to Mr. Benn?
A. It was a profound Secret as far as I know.

Q. (*Croſs examined.*) At what Price did the Patna Council, while the Opium was under their Management, purchaſe it of the Ryots of the Country or their immediate Agents?
A. When I went up to Patna, in the Beginning of the Year 1775, as a Member of the Council, a Contract exiſted, the Terms of which it is totally out of my Power, at this Diſtance of Time, to mention.

Q. What is the Fact of the Price at which the Patna Council purchaſed it?
A. I really do not recollect.

Q. Was it not 190 Rupees per Cheſt, or thereabouts, or upwards, from the native Merchant?
A. I believe it was conſiderably more, a great deal more, but I cannot be ſpecific as to it, or any Thing near it.

Q. Was it between Two and Three hundred Rupees a Cheſt, as near as your Memory will ſerve you?
A. To the beſt of my Memory it might be between Two and Three hundred, but I cannot be poſitive.

Q. Do you happen to know at what Price it was bought at Benares?
A. I really do not recollect.

Q. As near as you can?
A. I have not the moſt diſtant Knowledge; I do not recollect; nor do I know whether they got any from Benares.

Q. Whether you have not made this Buſineſs of Opium your particular Object of Enquiry, ſo as to make yourſelf particularly acquainted with the Subject?
A. It had been a Subject of Enquiry and Study almoſt from the firſt of my coming to Patna as a Member of the Council in 1775, during the Space of Six Years, or thereabouts.

Q. Do you recollect that in 1785 you repreſented in your Propoſals, that no other Perſon could undertake it upon the ſame Terms in Bahar, without a certain Loſs?
A. I recollect that now perfectly well, it was ſo; and I now aſſert, that Nobody could have undertaken it, without a Loſs, upon thoſe Terms.

Q. Do you recollect that you made this Repreſentation, that the Opium was an Article of Finance, and not of Commerce, and as much One of the Reſources of the State as the Salt, landed Collections, Cuſtoms, or any other Branch of publick Revenue?
A. I think I have ſtated that publickly; and I am ſure I always thought ſo, and do now.

Q. That it had been conſidered as ſuch during the Mogul Government, which farmed out the excluſive Privilege for an annual Peſhcuſh?
A. As far as my Enquiries went into that Subject, I was informed ſo.

Q. Do you believe that to be true?
A. I believe it to be true.

Q. Do you recollect repreſenting that the Inſtitution of Inſpectors had been found a uſeleſs Inſtitution at Bahar?
A. I deſire to be referred to the Document where I have ſo repreſented it.

Q. (*by a Lord.*) Did you make any Repreſentation to the Government in India, or to the Company here, reſpecting the Matter now propoſed to you?
A. If it is in Writing, and on Record, I certainly did.——I think ſuch a Repreſentation was made.

Q. Was that Repreſentation according to the beſt Information you had, and Knowledge upon the Subject?
A. Yes.—And I am of that Opinion now. I always thought Inſpectors upon the Spot of the Manufacture

Manufacture an uſeleſs Inſtitution, and calculated only to embarraſs the Contractor, and of no Benefit whatever to the Company.

Q. (*by Managers.*) As you think the Opium Buſineſs a Matter of Finance, and not of Commerce, whether or no it was not bought and ſold on Account of the Company?

A. When I ſaid it was a Matter of Finance, and not of Commerce, I meant it generally as one of the Reſources of Government, and not as an Article that was not originally bought and ſold.

Q. Do you think there is a greater Aptitude in the Governor General and Council to diſpoſe of that Commodity by way of Bargain and Sale than the Board of Trade? Whether there is any Advantage in point of Finance or of Commerce for the Governor General and Council to manage that Tranſaction, rather than the Board of Trade.—Were the Governor and Council, by their Situation, better enabled to manage that Buſineſs than the Board of Trade?

A. I think it was a Tranſaction that ought to come primarily under the Management and Direction of the Governor General and Council: with reſpect to the final Sale of it at Calcutta, I ſhould ſuppoſe it was of very little Conſequence whether it was ſold under the Direction of the Governor and Council or the Board of Trade.

Q. What Convenience or Advantage had the Supreme Council in the Sale of Opium above the Board of Trade?

A. I ſhould ſuppoſe that merely Matter of Opinion.

Q. (*by Counſel.*) Whether you know that Opium, to the lateſt Period of your Knowledge, has been ſent to China for the Purpoſe of procuring an Inveſtment for the Company there?

A. I know that Opium is purchaſed by Merchants, and exported to China.

Q. Has it been ſent on Account of the Company, to procure their Inveſtments in China?

A. I have heard that it has.

Q. Often?

A. I heard that it was ſent, in One Inſtance, and only One Inſtance.

The Witneſs was directed to withdraw.

The Managers for the Commons ſtated, they would next produce the Contract itſelf.

Then, Mr. Hudſon was again called in.

Read, from Book 262, the following Extract of a Conſultation of the 5th of June 1781, beginning at Page 130 of the ſame Book.

" Fort William, the 5th June 1781.

Rev. Dept. Tueſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Eſquire, Governor General, Preſident;
And
Edw[d] Wheler Eſquire.

Contract executed. Copy to be entered after Proceedings.

" The Contract being now executed by the Board,
" Ordered, That a Copy thereof be entered after this Day's Proceedings.

" Whereas it is agreed between the ſaid Stephen Sulivan and the ſaid Governor General and Council of the Preſidency of Fort William, on the Behalf of the ſaid United Company, that the ſaid Stephen Sulivan ſhall ſupply the ſaid United Company, during the Space of Four Years, from the Firſt Day of September next." (*a*)

(Signed, at the End of the Conſultation,)
" Edw[d] Wheler."

The Managers for the Commons ſtated, they would next produce a Letter from the Court of Directors condemning the above Contract.

Bengal Diſpatches.

Read, from Book 42, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated the 12th July 1782.

Ophium.

Par. 53. " Having, by our Letter of the 23d December 1778, Par[s] 86 to 88, condemned the Contract entered into with Mr. Mackenzie, for the Proviſion of Ophium, we cannot but be ſur-

(*a*) Vide Appendix, N° CLXXXVII.

prized

prized at your having concluded a new Contract for Four Years, relative to that Article, with Mr. Stephen Sulivan, without leaving the Terms of it to the Deciſion of the Court of Directors. We do not mean to convey any Cenſure on Mr. Sulivan reſpecting this Tranſaction; but we cannot withhold our Diſpleaſure from the Governor General and Council at ſuch an Inſtance of Contempt of our Authority. (*a*)

Signed at the End of the Letter,

" Robt Gregory, Chas Boddam, John Smith, W. Devaynes,
Henry Fletcher, John Hunter, John Roberts, George Cuming,
John Harriſon, Joſeph Sparkes, Step. Luſhington, Ja^{s} Moffatt,
George Tatem, R. Hall, Ben. Booth, Nathl Smith."
Jac^{b} Wilkinſon,

The Managers for the Commons ſtated, that they had meant to have ſhewn the Two other Situations in Bengal in which Mr. Sulivan ſtood at that Time; but the Book not being at Hand, they would proceed to prove that Part of the Tranſaction relative to the Smuggling of Opium into China.

Read, the following Extract from Mr. Haſtings's Anſwer to the Fourth Article of Charge, delivered at the Bar of the Houſe of Lords:

" And the ſaid Warren Haſtings ſays, That the Governor General and Council, he being Governor General, did, in the Year One thouſand ſeven hundred and eighty-one, declare, as the Truth was, that the Employment of the Shipping belonging to Bengal, in ſupplying the Coaſt with Grain, and the Difficulties and Obſtructions apprehended in the Navigation of the China Seas from the Cruizers and Privateers which had been, and were expected to be fitted out from the Iſle of France, Batavia, and other Places, to interrupt the Trade of the Eaſtward, had ſo much reduced the Demand for Opium, that they had found no Bidders at the Company's Sales at the Cloſe of the laſt and the Commencement of the then Year, nor any Perſons willing to become Purchaſers of that Article at the moderate Price of Four hundred Rupees per Cheſt, at which it was afterwards expoſed for private Sale; from which Cauſes almoſt the whole Produce remained on their Hands: But he denies that he ever monopolized Opium at an extravagant Rate, or that no Attempts were made by Perſons employed by the Governor General and Council to ſell the ſame at a low Price." (*b*)

Read, alſo, the following Extract of a Letter from the Governor General and Council at Fort William, Bengal, to the Court of Directors, dated 5th May 1781.

Par. 60. " We are ſorry to acquaint you, that, owing to the indifferent State of the Markets of laſt Seaſon to the Eaſtward, and the very enhanced Rates of Inſurance which the War has occaſioned, we have not been able to diſpoſe of the Opium of the preſent Year to ſo great an Advantage as we expected, and that more than One Half of it remains ſtill in your Warehouſes. For our different ineffectual Endeavours to diſpoſe of it by public Auction, and the Mode we have ſince been obliged to purſue in ſelling it by private Contract, we beg Leave to refer you to the Conſultations marked in the Margin, which will fully explain to you our Proceedings on this Subject. 23 January. 23 March.

Signed at the End,

" Edwd Wheler."

Read, alſo, the following Extract from Mr. Haſtings's Defence at the Bar of the Houſe of Commons.

[" My Accuſer has taken much Pains to prove that I was guilty of Inattention to the Intereſt of my Conſtituents, by loading a Quantity of Ophium in Two Ships, for the Purpoſe of remitting a conſiderable Sum on the Company's Account to China. I ſhall merely obſerve upon this Part of the Charge, that in the critical Situation of our Affairs in India, in the Year One thouſand ſeven hundred and eighty-one, when private Merchants were precluded from the Purchaſe of Ophium, Firſt by the Scarcity of Specie, and next by the Dangers to which Ships were expoſed in the Indian Seas, the Queſtion to conſider was this, whether I ſhould take the Chance of ſending Ophium to China and the eaſtern Iſlands on the Company's Account, in order to furniſh our Supra Cargoes at China with a Supply of Specie, or ſuffer the Ophium to remain One Seaſon in Calcutta, and riſque the Detention of the Company's Ships for One Year at Canton. Mr. Wheler and myſelf, for the Plan was Mr. Wheler's, determined to make the Experiment.] §(" The Supra Cargoes gave the following Information to

(*a*) Vide Appendix, N° CLXXXV.

(*b*) Vide ſupra, Page 1307.

" the Directors, which my Accuſer has carefully ſuppreſſed: ' The Object of the Governor " General and Council was, to raiſe a Sum of Money to anſwer the Exigencies of the Company's " Affairs in that Part of India, and at the ſame Time to afford us a Supply for providing he " Cargoes for the preſent Year. Had Ophium not been imported in Portugueſe Ships, and had " the Captain obeyed his Orders, we have not the leaſt Doubt but it might have ſold to conſider- " able Advantage. The Betſy was taken; had her Voyage been accompliſhed, we have great " Reaſon to imagine, that the Honourable Company would have received conſiderable Advantage " from it. She ſold as much of her Cargo as produced Fifty-nine thouſand ſix hundred Dollars, " which was paid into the Honourable Company's Treaſury here.")§ ☞[The Ophium ſent to China and the Iſlands in One thouſand ſeven hundred and eighty-one, ſold for Ninety-three thouſand three hundred and forty-five Pounds Sterling, which was paid into the Treaſury at Canton. The Scheme was a temporary one, and the Neceſſity urgent, both for raiſing a Sum of Money in Bengal, and remitting a conſiderable Sum to China. What my Accuſer means, by ſtating that I was guilty of a Breach of Truſt, by monopolizing an Article for which there was no Sale, I do not underſtand; had I thrown the Trade open, or relinquiſhed the Contract for One Year, the Revenue had been loſt to the Company for ever. From whence my Accuſer received the Information that Mr. Sulivan ſold his Contract to Mr. Benn, or that Mr. Benn afterwards ſold it to another Perſon, I know not: If the Fact is ſo, the Sale was made without my Privity or Conſent, nor can it be a Part of the preſent Queſtion."] (*a*) ☞

Read, from Book 427, already delivered in, the following Extract of a Conſultation of the 17th of September 1781.

[" Fort William, 17th September 1781.

" At a Council; Preſent,
Edward Wheler Eſquire;
The Honourable the Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote abſent on Service at Fort St. George.

" Mr. Wheler, conformably to the Deſire of the Governor General, lays before the Board a Letter from Colonel Watſon reſpecting the Sale of the Company's Opium.] ☞

§ (" Gentlemen,

Colonel Watſon. " Having long conſidered, with great Surprize, the many Diſadvantages to which the Euro- " pean and Indian Canmiree of the Company and Britiſh Subjects are ſubjected to at the Port of " Canton, by the Monopoly of the Cohing Merchants, who by ſuch authorized Eſtabliſhment are " enabled to enhance the Value of their own Commodities, and lower the Price of all Goods " imported into China at their meer Will and Diſcretion; I am at this Time induced to lay be- " fore the Board my Opinion of the great Benefits which might probably accrue to the Public by " an Attempt to open a Trade with the Eaſtern and Northern Provinces of China, whoſe Inha- " bitants are now and have ever been the chief Conſumers of the moſt valuable Articles exported " from Great Britain; and it is to theſe Provinces that we are principally indebted for the Two " moſt beneficial Articles of our Commerce, Tea and Raw Silk.

" I am entirely at a Loſs to account for the Reaſons which firſt influenced the European Com- " panies to fix upon Canton, the moſt Southern Port of the Chineſe Empire, as a general Em- " porium of vending the Produce of their reſpective Northern Climates, and ſtill more ſurprized " at the Continuance of their Trade to that Port only; ſince it has been known that their Com- " merce with the other Provinces was neither prohibited or obſtructed by the Emperor's Order. " The Attempts made by the Engliſh Company in the Years 1755, 1756, and 1757, to open a " Trade at the Port of Limpo, in the Province of Chekyoung, is an indubitable Proof of the " Fact."

" By this making Canton the only Mart of the Sale of European Goods and Purchaſe of Chineſe " Commodities, the Cohong Company has had its Riſe, and are enabled to pay immenſe Bribes " to the Manderines of Government for their lucrative Monopoly, which they have for many " Years exerciſed, to the great Prejudice of the Company as well as of Individuals; and, I am " credibly informed, that the Britiſh Subjects alone have, by their Confidence in the Credit and " Security of the Cohong Company, already ſuſtained a Loſs of ſomething more than Seven Mil- " lions of Spaniſh Dollars by Money lent upon Bonds, which enormous Sum ſtill remains due to " them, and almoſt without any Proſpect of ever being repaid, except by an immediate Repreſenta- " tion to the Court of Pekin. The late Demands and Repreſentations made by Captain Panton " to the Governor of Canton, have only extorted ſomething like a Promiſe to oblige the Chineſe " Merchants to repay the Principal Sums lent within the Space of Ten Years.

" The preſent deplorable State of our Indian Commerce to China, in particular that of Bengal, " from the Controul which the Cohong Company are allowed to exerciſe at the Port of Canton, " muſt ſoon be ſeverely felt by the Eaſt India Company themſelves. As the Sales of Opium,

(*a*) Vide Appendix, N° CLXXXVIII.

" and

" and ſuch other Articles as are procured with it, are now little more than ſufficient to purchaſe " the neceſſary returning Cargoes, and do not allow our Merchants to furniſh the Company with " the uſual Supplies of Caſh ſo neceſſary for compleating their China Inveſtment.

" In order to remedy this unfavourable Circumſtance, and prevent the great Loſs which the Britiſh " Nation muſt ſoon ſuffer by a Diminution of their China Imports, from a Want of Caſh to compleat " the Lading of their required Tonnage, I take the Liberty likewiſe to ſuggeſt the Expediency of " this Government now taking the Opium Trade to China immediately under its own Management, " and conſigning the whole Quantity that may be required for that Market to the Company's Su- " percargoes at Canton. The great Loſs and Diſappointment which the Britiſh Traders in Opium " have ſuffered this laſt Seaſon, call for ſuch a Remedy as I have recommended, and I do not " ſee any other Expedient that can ſo compleatly counteract the Cohong Monopoly, as that of " the Company themſelves becoming the only Dealers in this Staple Article, upon which (ſo certain " is the Demand for it) they may affix almoſt what Price they pleaſe, in Reaſon.

" By the beſt Authority I find that the preſent yearly Conſumption in the South-eaſt Provinces of " China alone amounts to Twelve hundred Cheſts, which, at the moderate Price of Five hundred " Spaniſh Dollars per Cheſt, will furniſh the Company with a Supply of Six Lacks of Dollars " per Annum to compleat their Inveſtment.

" If the Board, upon mature Deliberation, ſhould adopt my Opinions reſpecting the probable " Advantages which might accrue to the Britiſh Nation and Company by an Attempt to open a " Trade with the eaſtern and northern Provinces of China, and carry our European to thoſe Coun- " tries that now conſume and take off the principal Articles of the Britiſh Exports, as well as " furniſh the moſt valuable Articles for the Europe Markets, and alſo approve of the preſent " Expediency of monopolizing the Opium Trade in China; in that Caſe I take the Liberty of " making a Tender of my Ship now building at Kidderpore, for the Purpoſe of carrying both " Plans into Execution, for which, in my humble Opinion, ſhe will be exceeding well adapted on " Account of her great Force, and moderate Draught of Water, beſides promiſing, when ſheathed " with Copper, to be a prime Sailer.

" The Opium intended for the China Market I propoſe to take upon Freight, the Amount of " which may be either paid in Bengal or at Canton, as the Board may deem moſt eligible; and " after delivering this Opium to the Supra Cargoes, I further propoſe to freight the Ship to the " Company at a ſtipulated Rate per Month during ſuch Time as ſhe may be employed in attempt- " ing to open a Trade with the eaſtern and northern Provinces of China, or in executing any " further Plans which may be thought expedient by Government, till her Return, and the De- " livery of her Cargo at the Port of Canton.

" Such are the Outlines of the Plan which I ſuggeſt to the Conſideration of the Board, and I " am perſuaded if the Endeavour to open a Trade with the eaſtern Ports of China is intruſted to " a Man of Prudence and Perſeverance, that ſuch Lights will be obtained as muſt have the " moſt beneficial Conſequences both to the Company and Britiſh Subject in India.

" Fort William,
29th March 1781.

I am, &c.
(Signed) " Henry Watſon.")

☞ [" Agreed, That Lieutenant Colonel Watſon's Tender of his Ship the Nonſuch, to carry Opium to China, on Account of the Honble. Company, be accepted on the following Terms:

" The Nonſuch to be ready to ſail from this Port in all the Month of December.

" The Quantity of Opium to be ſent on the Nonſuch not to be leſs than Two thouſand Cheſts; for which the Board agree to allow Colonel Watſon Fifty Sicca Rupees per Cheſt Freight from Bengal to Canton.

" The Amount of the Freight to be paid to Colonel Watſon's Agents at Canton, by Bills drawn on the Supracargoes there, by this Government, at the uſual Rate of Exchange, viz. Forty-one Spaniſh Dollars for One hundred current Rupees.

" If the Board ſhall think proper to lade on Board the Nonſuch any other Goods or Treaſure for China, ſuch Goods or Treaſure to be delivered at Canton Freight free.

" Colonel Watſon to enter into Engagements, that no Opium ſhall be received on Board the Nonſuch, either before her Departure from this Port, or at any Time during his Voyage from Calcutta to Canton, except what ſhall be laden on her by the Governor General and Council.

" The Port Charges and Priviledges to Officers to be paid by the Company, and the latter to be determined by ſuch reſpectable Merchants of Calcutta as may hereafter be choſen for that Purpoſe.

(Signed at the End of the Conſultation)

Edwd Wheler."] ☜

The Managers for the Commons ſtated, they would next proceed to prove, That in Conſequence of the above Tranſaction of ſending Opium to China, a Loan was propoſed in Bengal, the Money to be advanced into the Treaſury of Bengal, and Certificates received for it, which Certificates were to be converted into Bills in China.

Read,

Read, from Book 440, Page 250, already delivered in, the following Extract of a Conſultation of the 1ſt November 1781, beginning at Page 250 of the ſame Book.

" Fort William, 1ſt November 1781.

Pub. Dept. Thurſday.

" At a Council; Preſent,
Edward Wheler,
and
John Macpherſon, } Eſquires.

The Honourable the Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote abſent on Service at Fort St. George.

Read, the following Letter and Incloſure from the Governor General.

" Gentlemen,

" The ſhort Interval allowed between the Date of the Advertiſement of the Board's Intention to open a Remittance to Europe for the Receipt of the Company's Civil and Military Servants through the Treaſury at Canton; and the Time limited for the Delivery of the Names of the Subſcribers to it, added to the Conſequences of the Troubles in theſe Diſtricts, having prevented many Gentlemen in this Part of the Country, who were deſirous of ſubſcribing, from communicating their Orders to their Correſpondents at the Preſidency in ſufficient Time to be effectual, I have the Honour to tranſmit to the Board a Liſt of their Names, and make it my Requeſt, that if the Certificates have not yet been delivered to the Subſcribers according to the Proportions which at preſent ſtand allotted to, or there ſhould not be any other eſſential Impediment to the Compliance with the Wiſhes of theſe Gentlemen, they may yet be indulged with Shares in the Remittance.

Benares,
22d October 1781.

" I have the Honour, &c.
(Signed) " Warren Haſtings."

" Liſt of the Gentlemen mentioned in the Governor General's Letter to the Honble. Board, of this Date, as deſirous of ſharing in the Remittance to Europe through Canton, in Bills granted on the Honble. Court of Directors by the Supra Cargoes at that Place:

" Mr. David Anderſon,		Lieutenants. Mitchell,
Mr. Richard Sumner.		James Anderſon,
Majors.	William Popham,	Alexander Macleod,
	Humphries,	Reid,
	Lane.	Crawford,
Captains.	James Law,	Falvey,
	Dennis,	Charles Gladwin,
	Harriſon,	Moncrief,
	Thomas Gladwin,	Cummine,
	Ludowick Grant,	Townſend,
	Jonathan Scott,	Mackenzie,
	Thomas Blair.	Moniſan,
		Baillie,
Lieutenants.	John Harriſon,	Sands,
	William Toone,	Horſley Kutchiſſon,
	Windwood,	Lucadore,
	Piggott,	Evelyn.
	Fallon,	
	D'Eſtene,	Surgeon. Charles Laird.

(Signed)
" E. Hay,
Sub Secry. to the Honble.
Go. Gen[l] and Council.

(Signed at the End of the Conſultation)
" Edw[d] Wheler,
John Macpherſon."

Read, from Book 427, already delivered in, the following Extract of a Conſultation of the 30th July 1781.

" Fort William, the 30th July 1781.

" At a Council; Preſent,
Edward Wheler Eſquire.

The Honourable the Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote abſent on Service at Fort Saint George.

" Ordered, That the Treaſury be opened for the Receipt of C[rs] 10,00,000, to be taken up on the above Remittance to China, and on the Terms mentioned in the following Advertiſement.

" Advertiſement,

" Advertiſement, 30th July 1781.

" The Honourable the Governor General and Council having reſolved to export the Opium now in their Warehouſes to China, to ſerve in lieu of the uſual Remittance in Bullion, they hereby give public Notice, that they will open their Treaſury for the Civil and Military Servants of the Company, the Repreſentatives of thoſe relieved from the Service and gone to Europe, or the Adminiſtrations to the Eſtates of deceaſed Perſons. Certificates will be granted by the Honourable the Governor General and Council, which will entitle thoſe who pay in Money to exchange them for Bills to be drawn by the Supra Cargoes at Canton, for the Proceeds of the above Opium, on the Court of Directors in Leadenhall Street, at the Rate of Sicca Rupees 214 and 4 Pice per 100 Spaniſh Dollars, and the Dollar to be rated at whatever may be the Exchange fixed by the Supra Cargoes for the Seaſon in which the Bills ſhall be drawn. Subſcriptions will be received at the Secretary's Office from all Servants of the Company, Civil or Military, who are willing to partake of this Remittance, provided they be delivered in before the 25th of next Month; a Diſtribution will then be made of the Remittance, the Shares to be regulated by the Rank which the Subſcribers hold in the Service; which Diſtribution will be lodged at the Treaſury, and the Amount allotted to each Subſcriber to be paid into the Treaſury on or before the 10th of September, after which the Treaſury will be cloſed.

Advertiſement relative to the Remittance to China.

" The Riſk of the Voyage to be on Account of the Company, and ſhould any Accident happen to prevent the ſafe Arrival of the Ship on which the Opium is to be loaden in China, the Money ſubſcribed will be repaid at the Treaſury in Fort William, with an Intereſt of Eight per Cent.; or ſhould the Ship not carry Funds to China equal to the Amount ſubſcribed, the Supra Cargoes will curtail from the Drafts allotted to each Subſcriber on the Court of Directors a Sum equal to the General Deficiency on the whole Remittance, and whatever Sum may be ſo curtailed will be repaid at the Treaſury in Calcutta, with an Intereſt of Eight per Cent. a Voucher being produced from the Supra Cargoes that ſuch Deduction was made.

" Ordered, That the above Advertiſement be immediately publiſhed, and a Copy ſent to the Sub-treaſurer, with Directions to receive the Amount ſubſcribed, whenever the different Shares ſhall be determined agreeable to the Terms inſerted therein.

(Signed, at the End of the Conſultation,)
" Edward Wheler."

Read, from Book 440, already delivered in, the following Extract of a Conſultation of the 22d of November 1781, beginning at Page 553 of the ſame Book.

" Fort William, 22d November 1781. Pub. Dept.

" At a Council; Preſent,
Edward Wheler
and
John Macpherſon, } Eſquires.

" The Board, taking into Conſideration the Neceſſity of raiſing Money upon the Opium which is to be conſigned to the Supercargoes at Canton by the Nonſuch, in Conſequence of their Reſolution of the 17th September, and referring to the Publication iſſued on the 30th of July laſt, upon the Occaſion of lading 1490 Cheſts of Opium on the Betſey, the Proceeds of which are to be paid into the China Treaſury;

" Agree, that the following Publication ſhall be now iſſued for taking up the Amount of Ten Lacks of Rupees on the like Terms for the preſent Occaſion.

" Whereas the Honourable the Governor General and Council have reſolved to take up a further Loan of Ten Lacks of Current Rupees, upon the Security of the Opium now preparing to be exported by the Nonſuch, on the Terms as that which has been received in Conſequence of their Advertiſement, dated 30th July laſt, upon the Opium exported by the Betſey.

Advancement reſpecting the Opium on the Nonſuch.

" Notice is hereby given, that Subſcriptions will be received at the Secretary's Office, to the Amount of Ten Lacks of Rupees, to be paid into the Treaſury by the Parties ſubſcribing, any Time before the 31ſt of January next, for Certificates to be granted by the Honble. the Governor General and Council, to be exchanged at Canton for Bills, at the uſual Sight, on the Honble. the Court of Directors, to be drawn by the China Supra Cargoes, for the Amount which ſhall be realized from the Sale of the ſaid Opium, at the Rate of Sicca Rupees 214 and 4 Pice per 100 Spaniſh Dollars, and the Dollar to be valued in Sterling Money at whatever Exchange may be fixed by the ſaid Supra Cargoes, for the Seaſon in which the Bills ſhall be drawn.

" The Riſque of tranſporting and ſelling the Opium will be on Account of the Company; but ſhould it's ſafe Arrival or Sale be prevented by any Accident, the Money ſubſcribed in conſequence of this Publication is to be repaid to the Subſcribers, or their Aſſigns, at the Treaſury in Fort William, with Intereſt from the Date of its Receipt at the Rate of Eight per Cent. per Annum; or, if the Fund realized at China from the Conſignment ſhall be unequal to the Sum received here upon it, the Super Cargoes are to limit their Drafts in Proportion to each Subſcriber, and the Difference will be repaid to them reſpectively, with Intereſt after the above Rate, at the

* Sic in Orig. Treaſury in Calcutta. or * tendering Vouchers from the Super Cargoes expreſſive of ſuch Deficiency.

" Fort William, 22d Nov. 1781. By Order of the Honble. the Govr Genl, &c."

(Conſultation not ſigned.)

Then the following Queſtion was put to Mr. Hudſon.

Q. (*by Counſel.*) Do you not know^r that the Application of Opium to our China Trade has been a Meaſure approved, recommended, and ordered by the Board of Controul?—Whether the very Meaſure of exporting Opium for the Purpoſe of its being applied to the China Trade, and the Company's Inveſtment to China, has not been a Meaſure in Terms not only recommended, but ordered by the Board of Controul in the Year 1786?

The Managers for the Commons objected to the ſame.

Read, from Book 440, already delivered in, the following Extract of a Conſultation of the 5th November 1781, beginning at Page 291 of the ſame Book.

" Fort William, 5th November 1781.

Rev. Dept. Monday. " At a Council; Preſent,

Edward Wheler and John Macpherſon, } Eſquires.

The Honourable the Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote abſent on Service at Fort St. George.

" Reſolved that the following Letter be written to the Governor General.

Page 293. " Finding that there were ſtill a conſiderable Balance of the Fund ſubſcribed for a Remittance by way of China unpaid, we have admitted the Names of the Perſons recommended by you for that Purpoſe, and have allotted them the Shares of their reſpective Ranks in the Service, the Amount will of Courſe be received from the Agents at the Treaſury.

(Signed and dated at the End of the Letter,)

" Fort William, 5th November 1781 We are, &c.

(Signed at the End of the Conſultation,)

Edwd. Wheler,
John Macpherſon."

Read, alſo, from Book 429, already delivered in, the following Extract of a Letter from the Council at Canton to the Court of Directors, dated 28th December 1782.

☞ [Par. 35. " On the 21ſt July, the Nonſuch, Captain William Richardſon, arrived in Macao Roads from Bengal, laſt from Bencoolen, having on Board Opium on Account of the Honourable Company; and Packets from both thoſe Preſidencies.

36. " The Preſidency of Fort Marlborough informed us, that they had upwards of 2000 Tons of Pepper, and were daily receiving more, but as they had no Intimation what Ships might be expected from Europe or the Preſidencies, were ignorant what Quantity they ſhould be able to ſend us; but that if Two ſhips arrived they could give them from Four to Five hundred Tons each; that they had drawn Bills to the Amount of Dollars 11,631, requeſting us to honour the ſame, which we accordingly did.

37. " The Governor General and Council of Bengal inform us, that they have laden on the Nonſuch 1,601 Cheſts of Opium on Account of the Honourable Company, amounting to current Rupees 825,023 : 5 : 11; that they had drawn upon us for the Sum of 38,048 Spaniſh Dollars, in Favour of Lieutenant Colonel Henry Watſon, being the Amount of the Freight due to him for the Opium laden on the Nonſuch;—alſo for the further Sum of 3,805 Dollars, payable to Lieutenant Colonel Henry Watſon, or Order, being the Amount of what they had agreed to allow the Captain and Officers of the Nonſuch in Lieu of Privilege; that they had agreed that all the Port and Factory Charge incurred on Account of the Nonſuch, while in the Company's Service, ſhould be at their Expence. That they had likewiſe agreed with the Owner Lieutenant Colonel Watſon, to allow him at the Rate of 110 Spaniſh Dollars per Day for Demorage, provided any Part of the Company's Opium remained on Board after the Expiration of Forty Days, to be eſtimated from the Time of her entering Canton River, or coming to an Anchor off the Port of Macao: They encloſed a Copy of Colonel Watſon's Orders to the Commander of the Nonſuch; alſo a Copy of their Orders to Captain Cudbert Thornhill, whom they had charged with the Diſpoſal of a Quantity of Opium laden on the Betſy, of which we ſhall take Notice hereafter; and drawn in his favour for Sicca Rupees 73,000, being the Amount of Freight due to him as Owner of the Betſey.

38. " Lieutenant Colonel Watſon's Orders to the Commander of the Nonſuch, directed him on no Account to attempt the Straits either of Malacca or Sunda, but to ſhape his Courſe to the Weſtward

Weſtward of the Iſland of Java, paſſing to the Southward thereof; not to ſpeak any Veſſel great or ſmall, and ſhew no Colours but from Neceſſity during the Paſſage from Bengal to the S. E. End of Java; from thence, and during the Paſſage through the Eaſtern and China Seas, to ſpeak all Veſſels, except ſuch as appear formidable, that he might get Intelligence of any Cruizers that might be ſtationed in the Narrow Seas; to ſhew French Colours from Java to the Phillipine Iſlands; and from thence to China, a Spaniſh Enſign and Pendant; that he was on no Account to part with the Sloop which accompanied, except on being chaced by a Ship of equal Force, which he was at all Times to avoid; to be conſtantly on his guard againſt any Surprize while at Anchor in any Port or Harbour; and to enter the River of Canton as an armed Ship, and give Notice to us of his Arrival, and not proceed further without our Orders.

39. "Notwithſtanding the above Direction, we are informed that the Nonſuch was above a Month in the Straits of Malacca, at Acheen Quidah, &c. where ſhe diſpoſed of a conſiderable Quantity of Opium on private Account, and did not depart from thence before they received Intelligence from a Portugueſe that four Dutch Ships were cruizing for them. They were afterwards at Fort Marlborough; and the Patna Sloop, which was on no Account to part from the Nonſuch, was diſpatched to Bengal with Produce of the Opium ſold in the Straits.

40. "The Nonſuch is a new Frigate-built Ship, ſheathed with Copper, carries Thirty-two Guns, and has on Board a Detachment of Sepoys. According to Agreement, ſhe was to receive not leſs than 2,000 Cheſts of Opium for the Company, but from the Quantity of private Property laden on her, was not able to receive more than 1,601. Beſides the Opium before-mentioned, there was alſo a Quantity of Lead, Elephants Teeth, and ſome Gold.

41. "The Agreement with Captain Thornhill ſpecified that he ſhould proceed to Rhio, in the Straits of Malacca, where he was to endeavour to diſpoſe of the 1,466 Cheſts of Opium, laden on the Betſey, to the beſt Advantage, in Exchange for which, he was to receive Spaniſh Dollars, Tin, Pepper, or other Commodities ſuited to the China Market; that he was to be joined in the Month of June by the Company's armed Ship Yarmouth, then on a Voyage to the Coaſt of Coromandel with Stores, which would aſſiſt him in tranſporting to China ſuch Goods as he ſhould receive in Exchange for the Opium, and alſo protect him againſt the Enemy.

42. "Had this Voyage been accompliſhed, we have great Reaſon to imagine that the Honourable Company would have reaped conſiderable Advantage from it; it is, therefore, with great Sorrow we inform your Honors, that the Betſey was captured in the Month of March laſt, by a ſmall Privateer called the St. Therero, in Company with One of the Dutch Company's Ships;—but not before as much of the Opium had been ſold as produced the Sum of Dollars 59,600, which was paid into the Honourable Company's Treaſury according to Agreement.

43. "As the Freight of this Ship, as well as the Nonſuch, was paid before-hand, contrary to the uſual Cuſtom, we were under the Neceſſity (though with Regret) of accepting the Bills drawn on us to that Amount.

44. "The Object of the Honourable the Governor and Supreme Council of Bengal was, to raiſe a Sum of Money to anſwer the Exigencies of the Honourable Company's Affairs in that Part of India, and at the ſame time afford us a Supply for providing the Inveſtment of the preſent Year; which Money was to be raiſed by Subſcription, and upon the Receipt thereof the Subſcribers were entitled to Certificates, which they were to exchange here for our Bills on the Honourable Court of Directors; that if the Amount of the Cargoes when ſold ſhould not come up to the Sum ſubſcribed, a proportionate Deduction was to be made by us from every Sum ſubſcribed, and the Difference repaid to the Subſcribers at Bengal, with an Intereſt of Eight per Cent. per Annum; and if the Sale or ſafe Arrival of the Opium ſhould, by any Accident be prevented, the Money to be repaid to the Subſcribers at the Treaſury in Fort William, with the Intereſt above mentioned.

45. "The Importation of Opium being ſtrongly prohibited by the Chineſe Government, and a Buſineſs altogether new to us, it was neceſſary to take our Meaſures with the utmoſt Caution: As this Article is frequently diſpoſed of at Macao, where it can be landed without Interruption, we at firſt determined to keep the Ship a few Days at that Place, till ſomething could be agreed on relative to the Diſpoſal of the Cargo, but on conſulting with Sinqua, One of the newly appointed Hong Merchants, and a conſiderable Dealer in Opium, he was of Opinion her remaining there might cauſe Enquiries to be made which would be attended with Inconveniencies, at the ſame Time aſſured us he would uſe every Endeavour to ſerve the Company upon this Occaſion; we had alſo acquainted Poan Khequa with the Affair, who gave it as his Opinion that the Ship ſhould go to Whampoa to prevent Suſpicion; we therefore ordered Captain Richardſon to proceed thither; and likewiſe ſent for our Chop to return to Canton; in the mean Time we had ſeveral Conferences with Sinqua, whom we wiſhed to treat with for the Sale of the Cargo; he would not however come to any Concluſion till we had ſeen Poan Khequa, whom he was very deſirous ſhould take ſome Part of it in Conjunction with him, and whoſe Power and Influence he thought would protect him in caſe of any Trouble from the Mandareens, which is ſometimes attended with very ſerious Conſequences; we, therefore, having received our Chop returned to Canton, where we arrived on the 18th of Auguſt. We took the firſt Opportunity after our Arrival to ſee Poan Khequa, to whom we repreſented the great Service he would render the Honourable Company if he could ſuggeſt any Plan to aſſiſt us in the Diſpoſal of the Nonſuch's Cargo;—he ſaid his Exertions ſhould be uſed, that he would conſult with Sinqua on his Arrival from Macao, and endeavour at ſome

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Expedient to ſerve us, but declared he would not take any Concern in it himſelf. On Sinqua's Arrival they had ſeveral Meetings, but without coming to any Determination. We wiſhed very much that Sinqua ſhould purchaſe it, and Poan Khequa become Security for the Payment; this however could not be accompliſhed, as Poan Khequa was unwilling to have his Name made uſe of in the Affair in any Shape whatever, in which he certainly was not to blame, as it might, if known, afford his numerous Enemies an Opportunity to give him infinite Trouble.

46. " After many deſultory Conferences, the following Propoſals were made us by Sinqua; he offered 200 Head Dollars per Cheſt, to pay 100,000 on or before the Chineſe new Year, (Second of February) and to diſcharge the Whole in Twelve Months from the Time the Agreement ſhould be concluded. We told him, that on ſuch Terms the Company would be conſiderable Loſers, and preſſed him to offer ſomething more. He then propoſed 210 Dollars, declaring that was the higheſt Price he could venture to afford. Should his Terms be accepted, he propoſed purchaſing a Ship at Macao, on which he would lade 1400 Cheſts for the Malay Coaſt, and ſell the reſt at Whampoa.

47. " His Reaſon for exporting it is, the immenſe Quantities brought by the Macao Ships, which has ſo well ſupplied the preſent Demand, as not to afford him an Opportunity of diſpoſing of any conſiderable Part of it to Advantage. Though theſe Terms are not very advantageous, they were only Once offered during the Space of more than Three Months that the Ship had been here. Sinqua, though a new Man to us, is a Hong Merchant, has great Credit, and has tranſacted Buſineſs of this Kind with Individuals to a great Amount, and has always diſcharged his Obligations with Honour and Punctuality; we therefore determined to accept his Terms, ſeeing no other Alternative but to return the Cargo to Bengal, by which the Honble. Company would have incurred the Riſk of the Seas and Enemies, the Payment of a high Freight, and Eight per Cent. per Annum on Ten Lack of Rupees.

48. " The Loſs to the Honble. Company, including Port Charges, Demorage, Factory Charges allowed the Captain, will amount to about 69,973 Dollars. For the Particulars we beg Leave to refer your Honors to the encloſed Account Current and Account Sales.

49. " Had the Supreme Council, which it was in their Power to do, prevented the Exportation of Opium on the Macao Ships; or had the Commander, agreeably to his Orders, proceeded to China without Deviation, by which he would have arrived above a Month before them, we have not the leaſt Doubt but it might have been ſold to a conſiderable Advantage. But on a Review of theſe Circumſtances, with the extravagant and unuſual Terms of the Freight, Demorage, Factory Charges, &c. we cannot help being of Opinion, that private Conſiderations have been ſuffered to interfere too much for any Benefit that may have been intended to the Honble. Company.

50. " We hope for the Honble. Court's Approbation of our Conduct in this Affair; the Novelty and Nature of the Conſignment has been the Source of much Trouble and Anxiety; and though we wiſh to have had in our Power to do better, we may truly ſay we have exceeded our Expectations.

51. " As the Cargo is to be delivered at Macao, we diſpatched Mr. Bruce to that Place, to give the neceſſary Directions, and return the Bill of Lading.

52. " By the Terms of the Agreements with Sinqua, the Nonſuch's Cargo was to be delivered by the End of November; but, on Account of the Private Trade, the Grand Chop could not be procured before the 12th December.

53. " As this Ship has no returning Cargo, and the Security Merchant would be thereby ſubject to the Exactions of the Hoppo for Deficiency of Duties, we applied to Poan Khequa, Chewqua, Manqua, and Shy Kinqua, to become jointly Securities, whom we underſtand the Hoppo has compelled to promiſe the Sum of 20,000 Tales on that Account, and the Pretence of her being a Ship of War, of which, on Account of the Sepoys on Board, he cannot, or will not be perſuaded to the contrary."]

§ (54. " On the 13th Auguſt, being then at Macao, we received a Packet from the Honourable " Court by a Swediſh Ship, in which we are informed it is your Honor's Intention to diſpatch Thir- " teen Ships to this Place from Europe, together with One from Bombay, this is the only Intelli- " gence we have received from England this Year. As the Arrival of our own Ships in theſe Times " is very precarious, and our Want of early Advices of the Honourable Court's Intentions liable " to be productive of great Inconveniencies, the Security of this Conveyance makes us wiſh " your Honors would make uſe of it to tranſmit further Information of your Commands.

55. " On the 4th of September we received a Letter from the Preſidency of Madras by a Daniſh " Ship, by which we learnt, that the Ships Duke of Portland, Royal Charlotte, Ponſborne, and " Contractor, were ſafe off the Nicobars the 11th of March laſt.

56. " They informed us, that their Diſtreſs for Money had rather increaſed than diminiſhed, and " that they could not flatter us with any Hopes of a Supply from thence: That the China Ships of " laſt Year arrived too late to proceed on their intended Voyage, they had therefore employed them " in bringing Rice from Bengal; that the Valentine had been diſpatched for Europe, and the Eſſex " and Southampton were under the Neceſſity of going to Bombay for Repair; that the Fortitude " was a miſſing Ship, (we have ſince heard ſhe was taken by a French Frigate), that the Queen " was intended to be diſpatched for Bencoolen with Stores, from whence ſhe was to proceed to " China by one of the Eaſtern Paſſages; that the Earl of Hertford was upon Service to the

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" Northward, and would be diſpatched to us, if practicable; that they ordered the Letter Packets " and Broad Cloth to be landed, and that they would forward them to us by the firſt Opportunity; " and that they diſpoſed of the periſhable Stores intended for the Uſe of the Factory, at publick " Sale.

57. " By the Fox Packet your Honor's were pleaſed to inform us, that you had ordered Four " of the Ships deſtined for the Preſidencies to be diſpatched from India to this Place, if no Inveſt- " ment ſhould be ready for them, in Addition to thoſe intended for China; we had no Reaſon to " doubt the Arrival of the Ships of laſt Seaſon; and from the early Preparations which we un- " derſtood were making for the Diſpatch of the Ships of this Seaſon, were not without Hopes that " a Part, at leaſt, of thoſe might arrive alſo; we had accordingly made Proviſion for nearly " Fourteen Ships; it was not therefore with leſs Surprize than Concern, that we learned by the " above Letter, how much we were likely to be diſappointed; of the Four Ships we had expected " no mention is made; the Fleet of this Seaſon we underſtand did not ſail till the Sixth February, " ſo that we can have no Hopes of them; and of the Ten Ships of laſt Year, we ſaw little Pro- " bability of more than Four arriving. In this Situation, we took into Conſideration the Em- " barraſments we laid under from our Engagements, and the Inconveniencies we ſhould bring " upon the Honourable Company, by drawing upon them to ſo great an Amount, without being " able to ſend Home Cargoes in any Degree anſwerable to ſuch Drafts. We had packed, received, " and contracted for Peculs 68288,07, amounting to Tales 561076.979; we therefore reſolved, if " poſſible, to prevail on the Merchants to relinquiſh a Part of their Bohea Contracts, which would " be a conſiderable Relief to us. On making this Propoſal, Chowqua Munqua and Shy Kinqua " readily agreed to relinquiſh One Half; Poan Kequa ſaid, that as he had provided the whole " Quantity, it would be extremely inconvenient, but at our Requeſt would conſent to relinquiſh " a Part, deſiring nevertheleſs it might be only One Third. We mentioned our Doubts to him " of being able to pay for 6000 Peculs; to which he replied, we might pay for 1500 when it " ſuited us, which we agreed to. Our Contracts are by this Means reduced from 19,000 to " 11500 Peculs; but in caſe of the Arrival of Thirteen Ships, we have engaged to take the " Whole at the Contract Price.

58. " Though this is conſiderable Relief, ſtill enough remains to give us great Uneaſineſs, as well " on Account of the Neceſſity we ſhall be under of drawing Bills to the Amount to diſcharge our " Obligations, as from our Apprehenſions of the Detriment to which ſuch Goods are liable from " being long kept, and the Riſque of Fire and other Accidents. We hope nevertheleſs, your " Honors will be of Opinion, that in making the above Proviſion we did not exceed what we " might have Reaſon to think neceſſary. We had informed the ſeveral Preſidencies in India of " our Proceedings, and did not doubt but they would take the firſt Opportunity of diſpatching " to us the ſeveral China Ships under their Orders, ſome of which we had intended to diſpatch as " early as November, if poſſible, in which Caſe it was abſolutely neceſſary to have the Cargoes " ready; we had moreover the Experience of former Years to convince us, that if ſo many as " Twenty Ships had arrived, all the Tea of any One Seaſon (eſpecially conſidering the great " Encreaſe of foreign Competitors) would not have ſufficed to load them.

59. " As we ſhall have near Ten Cargoes remaining after the Diſpatch of the Ships now here, " we have judged it prudent to defer entering into any further Engagement, till we can be better " aſſured what Number of Ships may be expected, and likewiſe what Aſſortment may have been " ordered by the Liſt of Inveſtment, the Want of which had ſo embarraſſed us laſt Year.

60. " On the 1ſt of October, we had the Satisfaction to hear of the Arrival of the Ships " Locko, Aſia, Oſterley, and Eſſex, off Macao, from Bombay, together with the Shaw, Byram " Gore, Country Ship; they were attacked in the Straits of Malacca by the Pourvoyeur, a " French Frigate of Forty-four Guns, which they beat off, after an Engagement of Two Hours " and a Half, in which the Oſterly loſt Two Men: They ſailed from Bombay the 8th Auguſt. " We had been in ſome Alarm concerning theſe Ships, having been informed that a Portugueſe " Veſſel, which ſailed from Bombay a few Days before them, had met with the Pourvoyeur, and " given Information of the intended Time of their Departure, which determined her to wait for " them, contrary to her original Deſtination.

61. " The Governor and Council of Bombay inform us, that the Aſia, Latham, Locko, and Oſ- " terley, deſtined for Coaſt and China, arrived there the 5th of March laſt; the Eſſex had alſo " been ſent round from Madras; that the Intelligence from thence rendering it dangerous for them " to proceed thither, they had diſpatched the Locko, Aſia, Oſterley, and Eſſex, for China, the " Latham not being in a Condition to proceed: That for the ſame Reaſon given laſt Year, they " had purſued the ſame Method of ſecuring Money for the Stocks of thoſe Ships, and on the ſame " Conditions; that they tranſmitted a Manifeſt of the Treaſure on Board each Ship, which they " requeſted might be delivered to the Agents of the Proprietors, who were inſtructed to pay the " Produce into our Treaſury, according to the Obligation they had ſubſcribed, amounting to " Rupees 639480 2 63.

62. " That not being able to furniſh Cargoes for theſe Ships, they had taken ſome Cotton on " Freight, the Produce of which was at the Diſpoſal of the Proprietors, and went at their " Riſque.

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63. " The laſt mentioned Circumſtance we muſt acknowledge was ſome Diſappointment to us, " for though we did not expect any Conſignment on the Honourable Company's Account, not " having received a full Cargo from thence ſince the Year 1777; we had flattered ourſelves with " Hopes that the Produce of what they might bring on private Account would at leaſt have been " ſecured for the Honourable Company's Treaſury.

64. " We alſo received by theſe Ships the ſeveral Packets from England, (except the Eſſex's, " which we underſtand was thrown overboard at St. Jago); it was not without ſome Surprize that " we perceived the Honourable Court's Inſtructions to us had been opened: As it frequently " happens that there are Circumſtances mentioned in theſe Inſtructions relative to the Exchange, " and other Matters which your Honors do not wiſh to be generally known before their Arrival " here, we have thought proper to mention this Circumſtance, that ſuch Inadvertency may be pre- " vented hereafter.

65. " The Lead by the above Ships was diſpoſed of to the ſeveral Security Merchants at " 4 T^{s} : 5 M. per Pecul, which was the higheſt Price we could obtain; the Lead by the Eſſex " was landed at Bombay.

66. " On the 2d November, the Seaſon being pretty far advanced, and no Probability of our " having any further Advices from England, we took in Conſideration the ſettling an Exchange, " which we had deferred as long as the Nature of the Buſineſs would admit.

67. " In reviewing the Sources from whence we might, with greateſt Reaſon, expect the moſt " effectual Supplies, we could not, without Concern, perceive how little it is in the Power of the " Honourable Company's Settlements to render us any Aſſiſtance. From Fort St. George we can " have no Hopes of the ſmalleſt Aid, either now, or for a long Time to come; and we cannot " conceive that any other Reaſon than their great Diſtreſs for Money, could have induced " the Supreme Council to take ſo unuſual and inconvenient a Method of ſupplying us with " Funds, as that of conſigning to us a Cargo of Opium. At Bombay, where a Ship is ſent an- " nually for the ſole Purpoſe of bringing a Cargo here, the Diſtreſs is ſo great that it was thought " an Object by that Government to receive Freight for the Cotton laden on the Four Ships, the " Produce of which was to be at the Diſpoſal of the Proprietors, when, by loading them on the " ſame Terms with the Gold, that is, Freight free and at the Company's Riſk, they might have " ſecured the Whole to our Treaſury; we muſt, therefore, depend ſolely on the Commerce from " India carried on by Individuals, and the private Property ſent here; it is then our Policy to " hold out ſuch Terms as may induce them to venture their Property to this Place in Hopes of a " good Remittance.

68. " The great Riſque and heavy Charges attending the Country Trade in theſe Times, which " were our Inducement for raiſing the Exchange laſt Year, are conſiderably encreaſed; One Ship, " and the moſt valuable, (the Cartier), was captured in returning to Bombay from thence; the " Betſey, from Bengal, was taken in the Straits of Malacca, and only One Ship has yet imported " here; the greateſt Encouragement in our Power is therefore neceſſary to induce them to per- " ſevere under ſuch Diſadvantages; as we can, with great Truth, affirm that the Decline of " Trade, and Want of Specie here, will very ſoon, if no favourable Change happens, have very " ſerious Conſequences on the few remaining Merchants of this Port.

69. " From the beſt Accounts we can procure there is but a very ſmall Sum in the Place, for " which we have the Danes and Swedes our Competitors; for though there are Six Ships loading " at Macao for Liſbon, Two of which only have Money, they find ſufficient Credit with the " Merchants to anſwer their Purpoſes. The Danes expect Five Ships, though Four only are " yet arrived; and though they have had a conſiderable Sum ſent out from Europe, and have " likewiſe received Fifty Cheſts of Treaſure intended for their Settlement at Tranquebar, the " providing an Inveſtment for Five Ships, and diſcharging their Debt of laſt Year, makes them " very deſirous of all the Money they can procure; the Swedes likewiſe have imported much leſs " than they want for purchaſing Three Ships Cargoes, and diſcharging their Debts contracted " laſt Year.

70. " We have alſo a large Debt, which it is certainly adviſeable to diſcharge, if poſſible, " though from the long Credit granted on the Opium we have no Reaſon to believe it will be in " our Power; this, however, we do not conceive to be of ſuch Importance as the ſecuring " Supplies for the enſuing Seaſon, which we have Reaſon to imagine will entirely depend on our " Determination.

71. " As it did not therefore appear to us that the Intereſt of the Honourable Company " would be any-ways promoted by a Reduction of the Exchange, we reſolved to continue it at " 5 s. 6 d. Sterling per Dollar.

72. " It may be objected, that notwithſtanding the very favourable Terms we gave laſt Year, " very conſiderable Sums have been ſent here, with poſitive Orders to remit the ſame by foreign " Channels in Preference to ours; with reſpect to that from Bengal it is to be obſerved, that the " Terms of laſt Year were ſcarcely known when the Nonſuch left that Place; but by what we " can learn from the moſt intelligent Perſons from thence, we have Reaſon to expect very great " Sums by the firſt Opportunity, and that ſuch as were informed of it expreſſed great Satisfaction " at the Exchange. The Terms on which the Cotton from Bombay was freighted may ſeem to

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" indicate an Intention of ſecuring a foreign Remittance; ſome Allowance however ought to be " made on the Conſideration that a great Part of that Amount is to be applied to the Purchaſe of " Two Ships Cargoes to return to Bombay, which muſt neceſſarily remain at the Diſpoſal of the " Proprietors; and as the Value of ſuch Cargoes could not be aſcertained there, it is not unrea- " ſonable that they ſhould wiſh to retain ſuch a Sum unengaged, as would effectually anſwer " their Purpoſe; the Remainder indeed we have too much Reaſon to believe is intended to fulfil " certain Engagements entered into laſt Seaſon with the Danes, a Precaution to receive a good " Remittance adopted by ſome Perſons, who, judging from the uſual Uncertainty of our Ex- " change, and knowing that the Terms given laſt Year were in conſequence of Application " from the principal Money Holders, and on Condition that we had all the Money in the Place, " might look upon it as an Expedient to anſwer the Purpoſe of the Moment, and not think it a " Rule to guide them another Seaſon. A Repetition of ſuch favourable Terms, co-operating " with the Conviction how much the Exchange of the Foreign Companies is regulated by ours, " may we hope inſpire a greater Confidence in future.

73. " We hope theſe Reaſons will prove ſatisfactory to your Honours for our continuing the " Exchange at 5 s. 6 d.; how much ſuch Encouragement is neceſſary, we leave the Honble. " Court to judge, when they ſee their own Ships employed in bringing Supplies for their Foreign " Competitors.—After this we ſhall think we have given a fair Trial; ſhould we perceive theſe " Terms are no Inducement, and that the Danes and Swedes are ſupplied in Preference to us, " we ſhall not think ourſelves juſtifiable in giving any other than a very low Exchange " hereafter.

74. " In ſettling this Buſineſs we wiſhed to have had it in our Power to make ſome Diſtinction in " the Rate of Exchange for the Produce of the Gold from Bombay, and Opium from Bengal, " which came at the Riſque of the Company, and Freight free, and ſuch as was brought at " an Expence to the Proprietors of a high Freight and Inſurance; but as they were by Agreement " to be at the Exchange of the Seaſon, we did not think we had a Right to make any Alteration; " we have nevertheleſs thought proper, in our Letter to the Governor and Council of Bombay, " to requeſt that ſuch a Latitude might be ſtipulated if they ſhould make any ſuch Agreements " another Year.

75. " On making known our Exchange, the following Terms were declared:

	s.	d.	
By the Danes	5	6	at Eight Months.
	5	7	Twelve Months.
By the Swedes	5	6	Eight Months.

76. " The Advantage of theſe Terms over ours is ſo much leſs than what is uſually expected " to ſecure them the Preference, that we believe they have been very unſucceſsful, as from the " beſt Accounts that can be procured, we do not find that a ſingle Dollar (except what was pre- " engaged as above mentioned) has been paid into their Treaſury, the Reſt, being about Dollars " 570,000, has been paid into the Honble. Company's; nor do we hear that any Engagements " have been entered into with the Foreigners for the enſuing Seaſon; and in general have the Pleaſure " to obſerve ſuch Satisfaction, expreſſed at our Remittance, as ſeems to promiſe the full At- " tainment of the Object we had in View in our Reſolution on that Subject.

77. " As the Advance of the Seaſon called our Attention to the loading the Ships, we took " into Conſideration the moſt effectual Means of turning our ſmall Fleet to the greateſt Advan- " tage of the Honble. Company, and by the Value of their Cargoes compenſate in ſome Meaſure " for the Deficiency of the Number; no Method appeared to us ſo likely to anſwer that Purpoſe " as procuring, if poſſible, an additional Quantity of Raw Silk on Credit if our Funds ſhould " prove inſufficient to pay for it immediately. With this View we applied to Poan Khequa, " who, conformably to Agreement, was to ſupply us with what Quantity we might want above " the Contract; indeed it was not underſtood that he was to ſupply us on Credit, but as he has " had for many Years the excluſive Benefit of this Contract, and been upon all Occaſions much " favoured by the Company, we thought theſe Conſiderations ſhould induce him to take this " Opportunity of expreſſing his Senſe of the many Advantages their Confidence had procured " him: He did not immediately comply with our Requeſt; we were informed on the contrary, " that ſo far from giving us an additional Quantity, he was doubtful whether it would be in his " Power to ſhip off the Quantity already agreed for, as the Hoppo had again renewed the old Regu- " lation, that no more than 100 Pecul ſhould be exported on a Ship: This we knew to be in " ſome Meaſure true, and is one Conſequence of our unfortunate Diſappointment in the Ar- " rival of our Ships this and the preceding Seaſon, which has occaſioned ſuch a Deficiency of " the Duties as alarmed the Hoppo with the moſt dreadful Apprehenſions of the Reſentment " of the Court, who, he is afraid, will attribute it to his Miſmanagement; for which Reaſon he " takes every Opportunity to harraſs and oppreſs the Merchants, and extort Money under " various Pretences, that he may be enabled to collect ſuch a Sum as ſhall equal the legal Duties " remitted by his Predeceſſors, which is the more grievous, as many of the Merchants are, from " the ſame Cauſe, debarred the Opportunity of procuring Money to ſupply his rapacious De- " mands. We have already mentioned that he has demanded 20,000 Tales for the Nonſuch,

" (though

" (though he was content laſt Year with a Fourth Part of that Sum for ſuch Ships as departed " without Cargoes); and we underſtand he has informed the Merchants, that if there ſhould " after all be any Deficiency they muſt make it up: In ſhort, his ſevere and perlexing Regula- " tions, his Extortion and Oppreſſion, are ſuch as were never before experienced; as Poan " Khequa was not diſpoſed to comply with the full Extent of his Demands for Leave to export " more than 100 Peculs ℔ Ship, which was his Aim in making that Regulation, we waited " ſeveral Weeks without receiving any Anſwer, till the Ships being nearly loaded, and ready for " the Silk, he was told we could wait no longer; that either he muſt deliver us the Silk imme- " diately, or we muſt proceed to load the Ships with Tea, as the Time of the Year would admit " no further Delay; upon this Intimation he exerted himſelf, and in a few Days informed us " that, over and above the Contract, he would let us have 300 Pecul of the Three Moſs Sort " on the Terms we deſired, which were to make an Addition of 5 Tale ℔ Pecul for ſuch Quantity " as we could not pay for, an Agreement in our Opinion by no Means unfavourable, as the " Difference is not quite Two ℔ Cent.; he informed us, that his Compromiſe with the Hoppo " coſt him 5,000 Tales, and that he had alſo given Security for the Duties of the Nonſuch, and " the Payment of the 20,000 Tales, without which the Grand Chop for that Ship could not have " been procured; this we believe to be very true, having had frequent Occaſion to experience " the Inability of the other Merchants to lend us the leaſt Aſſiſtance in ſuch Caſes.

78. " The Nature of the Green Teas render them leſs proper for keeping than any other; we " have thought proper to divide them equally on the Four Ships, reſerving only One Fifth of " the Singloes for the Queen, if ſhe ſhould be ſo fortunate as to arrive; we have alſo ſent 682 " Cheſts of ſuperior Congo, and 1112 Cheſts of Souchon; preferring Bohea Tea on Account of " the great Demand for that Article to the low prized Congoes.

79. " The Amount of the Four Ships Cargoes will then be nearly as follows:

		Peculs.	Ta^s.			Ta^s.
" Raw Silk	—	1205	327402,500	China Ware	—	9498,326
" Bohea	—	11487,76	150488,020	Nankeen Cloth	—	8800
" Souchon	—	619,55	12696,600			
" Congo	—	443,57	9891,950			
" Hyſon	—	1592,10	69954,780			
" Twankay Singlo	—	6832,04	156517,920			
				Tales	—	745250,096

80. " We ſhall have remaining of Old Teas, as follows:

			Ta^s.		
" Bohea	8592,83	Peculs at	14	—	120299,620
	10247,34	—	12	—	122968,080
	3949,24	—	11	—	43441,640
	22789,41				286709,340
" Singlo	900	Peculs, at	22	—	19800
" Congo	2666,12	D^o —	15,5	—	41324,860
	465		16	—	7440
	812,79		16,5	—	13411,035
	3943,91				62175,895

" Alſo the Whole of the Bohea contracted for, amounting to 11500 Peculs, or Tales 147000. " All the Teas have been carefully examined before they were ſhipped, and appear freſh and " good; the Green Teas eſpecially have been particularly attended to, and tried in the Water in " the ſame Manner as when purchaſed.

81. " As we have no Indent from St. Helena, we have ordered the ſame Quantity and Aſſort- " ment of Stores as was ſent laſt Year, which are divided on Five Ships; the Fifth Part being " reſerved for the Queen.

82. " The Indent for Woollens which we have the Honour to tranſmit is, at the Requeſt of " the Merchants, the ſame as what has been ſent Home the Two preceding Years, although, " with Reſpect to Quantity, it has not yet been complied with, and it is ſubmitted to the Honble. " Court to make ſuch Alterations as they may judge convenient; we cannot, however, omit " this Opportunity of mentioning to your Honours, the great Relief ſo large a Quantity of " Woollens would afford us in Times like the preſent, when our Funds are generally deficient, and " Supplies ſo precarious, and not likely for ſome Time to be anywiſe adequate to our Neceſſities; " for though we have Reaſon to expect the beſt Conſequences from our Endeavours to promote " that End as far as relates to the Exchange, we are confident that the Effect of every other " Means that can be uſed, will not exceed what is barely requiſite to ſecure us againſt " Diſappointment.

83. " We

83. " We muſt likewiſe beg Leave to mention to your Honours the Neceſſity of a conſtant " and uninterrupted Importation of that Article to keep up the Demand; what was brought " laſt Year by the Lord North was very trifling; and, from the fatal Neceſſity of the Government " of Madras to detain the Earl of Hertford, we have none this; the Merchants are not without " Reaſon apprehenſive that ſome other Manufacture may be ſubſtituted in Place of the Woollens, " and that they may find a Difficulty hereafter in recovering thoſe Channels through which they " formerly diſpoſed of it, ſhould the Importation be longer ſuſpended, which may very poſſibly " happen; for although the Woollens of Three Seaſons may probably be on their Way here, " your Honours cannot but perceive how little the Arrival of Ships from India can be depended " on in thoſe Times; ſeeing, therefore, that an Object of ſuch Conſequence is concerned, we can- " not but wiſh it were ſuitable to the Convenience of the Honble. Court, to diſpatch to us at leaſt " One Ship by ſuch a Route and Deſtination as may inſure her Arrival in the Courſe of the " Seaſon.

84. " The Merchants requeſt that Attention be paid to the Fineneſs of the Cloth, as that " brought here by the Lord North was very inferior in that Reſpect to the Woollens of former " Years.

85. " We have drawn upon your Honours Bills of Exchange to the Amount of

" Tales — — —	411795,603
" And have granted Certificates for — —	286,560
	412082,163

86. " The Governor General and Council of Bengal acquainted us, that it was their Inten- " tion to tranſmit to us Liſts of the Certificates granted on each Ship, diſtinguiſhing thoſe granted " on the Nonſuch from thoſe on the Betſey; only One Liſt however was ſent us, but neither in " that nor in the Certificates was any Diſtinction: to wait till we could have further Advices from " Bengal, would not only have been a great Hardſhip and Inconvenience to thoſe whoſe Certi- " ficates were arrived, but a Loſs to the Company of Eight ℔ Cent. ℔ Annum, on the whole " Subſcription. We therefore thought it adviſeable, as the Subſcription for the Nonſuch was not " opened till ſome Months after the Betſey's, to admit thoſe of a later Date, and rejected the " earlier ones; for theſe we granted Bills to the Amount of Dollars 222,941,$\frac{37}{88}$. How many " Certificates remain to be preſented we are yet ignorant, as well as the Amount of the Sub- " ſcription, ſo that we have not had it in our Power to make any proportionable Deduction " agreeable to the Terms of the Advertiſement, if it ſhould exceed the Produce of the Cargo. " We tranſmitted a Liſt of the Certificates accepted to the Honble. the Governor General and " Council, that they may be enabled to clear up any Miſtakes our Want of Information have " occaſioned.

87. " We have alſo received the Sum of Dollars 27785,2941, for which we have granted " Obligations, bearing an Intereſt of Eight ℔ Cent. ℔ Annum, being the Amount of ſeveral " ſmall Sums which came on Reſpondentia Terms in Portugueſe Ships, concerning the Diſpoſal " of which the Agents of the ſeveral Proprietors have yet received no Directions.

88. " Your Honours will ſee, by the Liſt of Ships incloſed, the prodigious Increaſe of Fo- " reigners this Seaſon, beſides which, One Dane is expected, and Two Imperial Ships, which " have been ſeen in the China Seas, but it is ſuppoſed have returned to Malacca. Mr. John Reid, who " is Chief of this Concern, has eſtabliſhed a Reſidence, ſeemingly upon a more permanent Footing " than the laſt, and taken the late French Company's Factory for a Term of Years; the Tuſcan " Ship mentioned in the Liſt is entirely unconnected with them, and is preſumed to be a French " Concern; the Ship is a French Frigate, and the real Captain and all the Officers of that " Nation, though they have a nominal Captain who is an Italian. The Country Trade of Macao " is encreaſed, in conſequence of the War, beyond all Example of former Times, there being not " leſs than Twenty-five Veſſels, of various Kinds, belonging to that Port.

89. " No Manilha Ships have ventured there theſe Two Years paſt, having obtained Leave from " the Chineſe to uſe the Port of Amoy. The Dutch have had no Ships ſince the Commencement " of the War with Holland; nor had any arrived at Batavia, during that Period, when the laſt " Accounts came away, from whence we learn that they were in the greateſt Diſtreſs for Men; " they had fitted out Five or Six of their Ships with Fifty Guns, the Crews of which were com- " pounded chiefly of Chineſe and Malays, and about Forty or Fifty Europeans each, and were " the Whole of their Force.

90. " Notwithſtanding the Foreigners enjoy the Advantage of not having us their Compe- " titors, Teas keep their Price; they are nearly as follows:

" Danes. Ta.		Swedes. Ta.	Portugueſe. Ta.	
" Bohea	15 : 5 : 6	14 : 5 : 0	Bohea	14 : 0
" Congo	25 : 23 : 22	26 : 24 : 23	Twankay	25 : 0
" Souchon	45 : 0 : 0	36 : 38 : 44	Singlo	23 : 0
" Hyſon	50 : 52 : 44	50 : 0 : 0	Congo	23 : 0
" Singlo	25 : 23 : 0	0 : 0 : 0	Souchon	40 : 0
			Hyſon	52 : 0

91. " The

91. " The Quantity of Congo in the Place is very ſmall, (not above 30,000 Cheſts), which " for ſome Years paſt has been 80,000; this is owing to the Diſappointments of the Country " Merchants laſt Year from the ſmall Number of Ships, by which ſome of them have been very " great Sufferers. Of Hyſon there is a great Quantity, though many of old well known Chops " have not been made in conſequence of the Intimation we gave, that none would be wanted by " us;—indeed, what remained of laſt Year has conſiderably added to the Stock at Market.

92. " On the 17th inſtant we received a Letter from the Agent for moſt of the Gold brought " from Bombay on the Four Ships, as mentioned above, acquainting us, that from the preſent very " low Prices of Gold, he was not able to diſpoſe of it, and pay in the Produce according to Agree- " ment, without great Loſs to the Proprietors, requeſting therefore that we would receive it into " the Treaſury, and grant Bills for the Amount at the preſent Market Price; that if it ſhould not " be ſold before a certain Day to be agreed on, we might diſpoſe of it for what we could get, and " his Agent ſhould make up the Deficiency, if the Produce ſhould not equal the Bills drawn.

93. " The Payment of this Money has already been deferred beyond all reaſonable Time; but " as we were convinced that his Complaint of the low Price of Gold, from whatever Cauſe, was " not ill founded, and the Conditions of his Requeſt very reaſonable, we conſented to agree to it, " ſeeing we had no other Alternative but giving up our Pretenſions to it altogether; we accord- " ingly fixed the 20th January for the Day, after which it is to be at our Diſpoſal, if not ſold " before, as the Chineſe new Year, beginning the 2d February, the Money will be wanted to pay " the Merchants.

94. " Being laſt Year deprived of our Surgeon Mr. Ja' Dewar, we prevailed on Mr. John " Morgan, Surgeon of the Lord North, to remain here in that Capacity, in Hopes the Honour- " able Court might be pleaſed to continue him in his Employment. Thoſe Expectations have " been fruſtrated by the Appointment of Mr. John Duncan; but, on Account of that Gentle- " man's Non-arrival, he has conſented to remain another Year, though under the Ce.tainty of " being ſuperſeded. The Salary being very ſmall, and the Shortneſs of the Time not allowing " him to profit by his Situation, we earneſtly recommend him for ſuch Recompence as your " Honours may think he deſerves; as he cannot be influenced to remain here this Year by any " other Motive than the Conſideration of the fatal Conſequences that may attend our being left " without any medical Aſſiſtance.

95. " *The Ships Loco, Aſia, Oſterley, and Eſſex*, are nearly loaded, and, we hope, may be " ready to ſail by the 2d January at fartheſt: We wiſhed to have diſpatched them much earlier, " at leaſt before any of the foreign Ships, but the neceſſary Repairs after ſo long a Voyage, and " ſalting their Proviſions, which the hot Weather for ſome Time prevented, delayed them longer " than we expected; to which may be added, our waiting for the Raw Silk: It is now all re- " ceived, and we have the Satisfaction to think a very fine Parcel.

96. " Mr. David Lance, who has for ſome Time laboured under a Complaint in his Lungs, " having, by the Advice of the Surgeon, requeſted Permiſſion to return to England for the Bene- " fit of his Health, we have conſented to his Requeſt. We had taken his Paſſage on Board a " Daniſh Ship, and as we judged it would be agreeable to your Honours to receive a full Ac- " count of our Proceedings by a Conveyance which will probably arrive ſo much earlier than the " Honourable Company's Ships. We have charged him with the Care of this Packet; and have " only to wiſh that our Conduct may meet with your Honours Approbation, which we ſhall at all " Times ſtudy to deſerve.

" We have the Honor to be, with the greateſt Reſpect,
" Honourable Sirs,
" Your moſt faithful humble Servants,

" Canton,
December the 28, 1782.

" Ja[s] Bradſhaw,
" Geo' Rogers,
" Abr[m] Roebuck,
" Henry Brown,
" John Harriſon,
" George Cuming,
" Charles Edw[d] Pigou,
" Henry Lane,
" David Lane,
" Thomas Freeman,
" Thomas Kuyck Van Mierof".)

" P. S.
" We did intend to have given a Diary in Charge " to Mr. Lance; but conſidering that the above " Letter conveys to your Honours a moſt ample " Detail of your Affairs entruſted to us, and re- " flecting that ſhould any Accident happen to Mr. " Lance, ſuch a Packet as a Book muſt unavoidably " make, might not be ſafe, we thought proper to de- " cline ſending one.

§

The Managers for the Commons ſtated, that they ſhould now have proceeded to call for the Accounts to prove the Loſs ſuſtained by the Company in conſequence of this Tranſaction, but that it would be clearer to prove the Loſs upon each of the different Contracts together at the End of the Evidence on this Article; they ſhould therefore next proceed to prove the Orders of the Court of Directors in the Year 1770, upon the Subject of the Bullock Contracts.

Read,

Read, from Book 173, already delivered in, the following Extract of a Letter from the Court of Directors to the Preſident and Council at Fort William in Bengal, dated 23d March 1770.

☞ [134. " It is our expreſs Orders, and we hereby poſitively direct, that you do not fail every Year to adverti ſe for, and receive ſuch Propoſals as may be offered, for ſupplying the Troops with Proviſions, and for furniſhing Draught and Carriage Bullocks, to be employed with our Army; and that you do in all Caſes accept thoſe Propoſals which may appear the moſt reaſonable in point of Charge. And you are alſo to take Care, that in all your Adverti ſements, a ſufficient Time be allowed before the Expiration of the Contract which may then ſubſiſt, or the Time which you may limit for receiving Propoſals, for ſuch Perſons who may become Candidates for the Contractorſhip to prepare their Propoſals for ſuch Contract."] ☜

§ (135. " And in order to prevent Abuſes in future, we direct, that the Commanding Officer of " our Troops at your Preſidency, do require from every ſubordinate Officer in the ſeveral Depart- " ments, every 14 Days or oftener, Report of the Number, Size, and Condition of the Draught " and Carriage Bullocks, furniſhed for and employed with the Army; and that he do report the " ſame to the Preſident and Council monthly, or oftener as Occaſion may require. And if the " Bullocks ſhould at any Time be deficient, he ſhall fully explain to what Cauſe ſuch Deficiencies " may be juſtly attributed, whether to want of Size, Neglect of Feeding, Miſmanagement, or " other Abuſe, or to unavoidable Caſualties or other Circumſtances, ſuch as Length of Time in " Service, the Nature of ſuch Service, or otherwiſe; and he is alſo to inform himſelf, and ſignify " to our Preſident and Council at the ſame Time, in all Caſes, according to the beſt of his " Judgement, how Defects of every Kind relative to Bullocks in the Service may be " remedied.") §

(Signed at the End of the Letter)

" Ben. Booth,	G. Colebrook,
George Cuming,	P. Cuſt,
Jn° Woodhouſe,	H^y Crabb Boulton,
L. Sulivan,	J. Purling,
W. James,	Fred^k Pigou,
Henry Fletcher,	John Harriſon,
Geo. Dempſter,	R^d Boſanquet,
Chas Boddam,	Daniel Wier,
W. G. Freeman,	William Snell,
Robt Gregory,	Peter Du Cane jun^r.

Read, the following Extract from Mr. Haſtings's Defence at the Bar of the Houſe of Commons, already delivered in.

☞ [" In the Year 1777, when the Board gave the Bullock Contract to Mr. E. Johnſon, it is a Fact of publick Notoriety, that by having made that Contract Annual, and by granting it to the loweſt Bidder, it was taken lower, by 50 per Cent. than it was poſſible for any Man to keep the Bullocks fit for Service, provided the Contract had been fully executed, and the Number contracted for kept up. I appeal to the Records of thoſe Days to prove the Complaints of the Commanding Officers of the weak State of their Carriage Cattle; I appeal to our Revenue Conſultations to certify the Amount of the Deductions that were made from the Revenues for Bullocks violently ſeized, whenever any Detachment of our Army marched through any Part of Bengal or Bahar. To remedy theſe Inconveniences, and to fix the Contract upon ſuch fair and equitable Terms as ſhould inſure a ſtrict Performance of the Publick Service, and afford to the Contractor the Proſpect of a reaſonable Profit for his Trouble and Riſk, I joined in giving the Bullock Contract to Mr. Johnſon in 1777,] ☜ § (" and the Contract for Elephants to Mr. Templar in the Year 1779. " I heartily concurred with Sir Eyre Coote in granting the Proviſion and Bullock Contract to Mr. " R. Johnſon for Five Years, thereby performing, in my humble Opinion, a moſt eſſential and " important Service to the Eaſt-India Company, my reſpected Employers. From 1779 to 1783, " we were in a State of War with European and Country Powers; we had Two conſiderable De- " tachments of our Army upon Foreign Service, the one upon the Coaſt of Coromandel, the " other in Guzzerat, and our Army in Bengal was fit for immediate Service: I can therefore con- " fidently aſſert, that in every Point of View the Bullock Contract was highly advantageous to the " Company; and ſo fully am I impreſſed with the Neceſſity of granting the Contract, or the " Agency, for the Supply of Draught and Carriage Bullocks, upon fair and liberal Terms at all " Times, that I took the Liberty to give theſe Sentiments to the Court of Directors ſince my Re- " turn to England, when they did me the Honour to aſk my Opinion of certain Military Arrange- " ments which they had at that Time under Conſideration: And it will not be deemed irregular " or indecent in me, I truſt, to quote to this Honourable Houſe the Opinion of a Gentleman (Sir " George Wombwell) on the Subject of Contracts, who, at the Time he gave it, was a Member " of this Houſe, and Chairman of the Eaſt India Company. Sir George ſaid, 'That he believed " putting up Contracts to publick Sale would be prejudicial to the Publick Service. Men,' he

" ſaid,

" ſaid, ' inadequate to the Performance of the Contracts, would at all Times bid lower than " Men of Ability and Reputation; and they would do much more Injury by ſerving the Public " badly, than the Difference of Expence: He had ſeen Inſtances of it in the Contracts of the " Eaſt India Company, and thoſe of a fatal Nature.' I quote theſe Sentiments, delivered in this " Houſe by Sir George Wombwell on the 4th of May 1778, as a ſtrong Confirmation of my own " Opinion; and I affirm, that if Contracts had been given away in Bengal for ſhort Periods, and " to the loweſt Bidder, more particularly Army Contracts, they would have fallen invariably " into the Hands of irreſponſible Men, and we might have had a very different Termination of " the late arduous Struggle in India. We advertiſed, in the Year 1777, for Propoſals for keep- " ing in Repair the Cantonments of Burrampoor and Dinapore by Contract; an Enſign in the " Service, a Mr. Foſter, gave in the loweſt Propoſals; but the Board were ſenſible of the Im- " poſſibility of performing the Service for the Sum for which he was ready to undertake it, " and we agreed to nominate Mr. Vanderhayden to perform the Duty by Agency; yet this was " a direct Breach of the Company's Orders, and by the Reaſoning in the Charge, we were left " in this Caſe without an Option. I ſhall conclude my Obſervations upon the Contract for " Draught and Carriage Bullocks with the following Quotation from the Letter of the Court of " Directors to Bengal, of the 11th April 1781.

"" General Coote remarks, that being in a State of actual War, it was unneceſſary to ſet forth " the indiſpenſable Neceſſity of having the Draught and Carriage Bullocks put in the beſt " Train poſſible, becauſe the Succeſs of every Operation in War depends ſo very particularly on " the bad or good Condition of the Artillery Train; and in this Opinion we concur with the " General.

"" Upon the moſt impartial Conſideration of all the Materials before us, we candidly allow " your Syſtem for the Proviſion of Cattle for the Service of the Trains to have been excellent, " provided you had advertiſed for Propoſals, and thereby aſcertained the loweſt Terms pro- " curable, with good Security for Performance of the Contract; but the Offer, without adver- " tiſing for Propoſals, appears to us very improper.

"" We are nevertheleſs of Opinion, that provided the Terms were reaſonable, it might not, " for the moſt obvious Reaſons, be for the Good of the Service in Time of War, to renew the " Bullock Contract every Year.'") (*a*)

§

Read, from Book 441, already delivered in, the following Extract of a Conſultation, dated 8th January 1778, beginning at Page 19 of the ſame Book.

Thurſday.

" Bengal Board of Inſpection.

" Fort William, the 8th January 1778.

" At a Board of Inſpection; Preſent,

The Honourable Warren Haſtings Eſquire, Governor General, Preſident;

Richard Barwell,
Philip Francis,
and
Edward Wheler,
} Eſquires.

" The Contracts of Mr. Johnſon for victualling the Troops, and for providing and feeding Draft and Carriage Bullocks and Camels, having been drawn up by the Company's Attorney, and certified by the Secretary to be conformable to the Reſolutions of the Board, the ſame were executed on the 29th ultimo, together with the Penalty Bond by Mr. Johnſon and his Securities.

Orders thereon.

" Ordered, That a Copy of theſe Contracts be entered after the Proceedings, and that Copies of them be alſo ſent to the Commanding Officers of the Brigades, and to the Commiſſary General, and Quarter Maſter General."

Read, alſo, the following Extract from the ſame Book and ſame Conſultation, beginning at Page 82 of the ſame.

Contract of Mr. Johnſon for providing and feeding Draft and Carriage Bullocks and Camels.

" Articles of Agreement indented, had, made, concluded, and fully agreed upon, this Twenty-ſixth Day of December, in the Year of our Lord Chriſt One thouſand ſeven hundred and ſeventy-ſeven, between the United Company of Merchants of England trading to the Eaſt Indies, of the one Part; and Erneſt Alexander Johnſon of Calcutta, in the Province of Bengal, Merchant, of the other Part, in Manner and Form following; that is to ſay, Whereas the ſaid Erneſt Alexander Johnſon hath made Propoſals in Writing to the Governor General and Council of the Preſidency of Fort William in Bengal, on the Part and Behalf of the ſaid United Company, to furniſh or ſupply the Army and the Troops appertaining or belonging to the ſaid United Company on the Bengal Eſtabliſhment, with ſuch a Number of Draught and Carriage Bullocks, and with ſuch a Number of Camels as ſhall be wanted, or thought neceſſary to be employed in the Field on Account of ſuch Army or Troops, for the Space of Three Years, to be computed from the

(*a*) Vide Appendix, N° CLXXXVIII, & ſupra, P. 1327-8.

Firſt Day of January now next enſuing; and for the feeding and keeping the ſame in proper and fit Order to perform their Labour, as well within the Provinces of Bengal, Bahar, and Oriſſa, as without the ſame Provinces, in any other Parts and Places wherever ſuch Army ſhall happen to be, on being paid by the ſaid Governor General and Council, on the Part of the ſaid United Company, their Succeſſors and Aſſigns, the ſeveral Sums of Money for the feeding and keeping the ſame Bullocks and Camels as herein-after is mentioned and agreed to be paid him by the ſaid United Company: Now theſe Preſents witneſs, That the ſaid Erneſt Alexander Johnſon, for and in Conſideration of the ſeveral Sums of Money ſo agreed to be paid him as herein-after is mentioned, and of other the Covenants and Agreements herein-after contained, on the Part and Behalf of the ſaid United Company to be obſerved, performed, fulfilled, and kept, doth for himſelf, his Heirs, Executors, and Adminiſtrators, covenant, promiſe, and agree, to and with the ſaid United Company, their Succeſſors and Aſſigns, in Manner and Form following; that is to ſay, That he the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, ſhall and will, at his and their own proper Coſts and Charges, as ſoon as conveniently may be from the Day of the Date of theſe Preſents, well and truly find and provide a ſufficient Number of good and proper Draught and Carriage Bullocks for the Uſe of the Army of the ſaid United Company, and every Part thereof, as well within the Provinces of Bengal, Bahar, and Oriſſa, as without the ſame Provinces, wherever ſuch Army or any Part thereof ſhall happen to be; and having bought or procured the ſame Bullocks, ſhall and will, at his own proper Coſts and Charges, feed, maintain, and keep the ſame, for and during the Space or Term of Three Years, from the Firſt Day of January now next enſuing the Date of theſe Preſents, until the Firſt Day of January which will be in the Year of Chriſt One thouſand ſeven hundred and eighty-one, in good Health, and fit for the Uſe and Service of the Army of the ſaid United Company. Provided always, and it is hereby agreed, by and between the Parties to theſe Preſents, That it ſhall and may be lawful for the ſaid United Company, or the Governor General and Council of the Preſidency aforeſaid for the Time being, or the Commanding Officer of the different Brigades, or of any Detachment of ſuch Brigades for the Time being, during the ſaid Term of Three Years, to diſcharge any ſuch Part of the Number of the ſaid Bullocks to be provided as herein-before is mentioned, which the ſaid United Company, or the ſaid Governor General and Council, or ſuch Officers or Officer as aforeſaid, ſhall think ſuperfluous or unneceſſary for the Uſe of the ſaid Army, upon giving One Month's Notice in Writing of ſuch Intention to the ſaid Erneſt Alexander Johnſon, or to any Agent to be appointed by him to attend ſuch Brigade or Detachment, in purſuance of the Covenant herein-after for that Purpoſe contained. And further, That in caſe, at any Time hereafter during the ſaid Space of Three Years, an additional Number of Draught and Carriage Bullocks ſhall happen to be wanted for the Uſe and Service of the ſaid Army, or of any Part of the Army of the ſaid United Company, which may be quartered or encamped in any Part of the Country where no good or proper Bullocks are to be had or gotten; and the ſaid Erneſt Alexander Johnſon ſhall be obliged to ſend to a great Diſtance to purchaſe and procure ſuch Cattle as are fit for the Service of the ſaid Army, in ſuch Caſe it ſhall be lawful for the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, to draw Pay for ſuch Bullocks, at the Rates herein-after mentioned, from the Day on which any ſuch Bullock ſhall arrive at the Station of any of the Brigades, and ſhall have been muſtered and ſurveyed by the Commanding Officer and Commiſſary of any of the Brigades belonging to ſuch Army: And the ſaid Erneſt Alexander Johnſon, for himſelf, his Heirs, Executors, and Adminiſtrators, doth further covenant and agree to and with the ſaid United Company, their Succeſſors and Aſſigns, that every Carriage Bullock to be provided by him for the Uſe of the ſaid Army, * purſuance of his Covenant herein-before for that Purpoſe contained, ſhall be in ſufficient Health, and proper Age and Strength to carry on his Back One hundred and twenty Pounds Weight; and that the Draught Bullocks to be provided as aforeſaid, ſhall be of ſuch Age and Strength, that Eight of them ſhall be able to draw and accompany the ſaid Army with a Six Pounder Gun, Ten of them with a Twelve Braſs Pounder, Twenty-four of them with an Iron Eighteen Pounder poizing from Forty to Forty-four Hundred Weight, and Ten of them with a Howitzer Tumbril. Provided alſo, and it is hereby further agreed, by and between the ſaid Parties, That before the ſaid Erneſt Alexander Johnſon ſhall be entitled to receive the Pay for ſuch Bullocks, to be provided as herein-before mentioned, that all ſuch Bullocks ſhall firſt be approved on a Muſter to be had or made by the Commander of the Troops for the Time being, at the reſpective Stations where ſuch Bullocks ſhall firſt arrive, the Commandant of Artillery and Commiſſary of Muſters, and that the ſaid United Company, or the ſaid Governor General and Council, on the Part and Behalf of the ſaid Company, on any Report to be made to them from ſuch Perſon or Perſons as aforeſaid, ſhall be at Liberty to diſmiſs, and have full Power, and are hereby declared in ſuch Caſe to have full Power, to diſmiſs, from Time to Time, monthly, all and every ſuch Bullock or Bullocks as may be reported unfit for the Service or Services for which ſuch Bullock or Bullocks were or was deſigned; and that thereupon the ſaid Erneſt Alexander Johnſon ſhall, as ſoon as conveniently may be after ſuch Diſmiſſion, replace all and every ſuch diſmiſſed Bullocks with others fit, good, and proper for the Uſe and Service of the Army of the ſaid United Company. And theſe Preſents further witneſs, That the ſaid Erneſt Alexander Johnſon, for and in Conſideration of the Payments herein-after agreed to be made him by the ſaid United Company, doth covenant, promiſe, and agree, to and with the

* Sic in Orig.

ſaid United Company, their Succeſſors and Aſſigns, that he the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, ſhall and will well and truly find and provide for all the Camels kept or to be kept by the ſaid United Company, in the Provinces of Bengal, Bahar, and Oriſſa, or which is otherwiſe called the Bengal Eſtabliſhment, during the ſaid Space of Three Years from the ſaid Firſt Day of January now next enſuing, good, ſufficient, and proper Food, and proper Servants to attend and take Care of ſuch Camels, and every of them, ſo that no further Expence ſhall ariſe to the ſaid United Company, on Account of the Keep of ſuch Camels, than what is agreed by the United Company to be paid to him the ſaid Erneſt Alexander Johnſon, as herein-after is mentioned: And alſo, that he the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, ſhall and will well and truly ſuſtain, bear, and pay all Loſſes, Damages, and Expences which may happen during the Continuance of theſe Preſents, as well to the ſaid Bullocks as the ſaid Camels reſpectively, whether the ſame ſhall ariſe from the Attack of Enemies, or from the Death of any or either of the ſaid Bullocks or Camels, or from any other Cauſe or Conſideration whatſoever (ſave and except as herein-after is mentioned), ſo that the ſaid United Company ſhall ſuffer or ſuſtain no other Charges or Expence whatever in the Articles of Camels and Bullocks for the Uſe of their Army aforeſaid, other than the ſeveral Sums of Money herein-after agreed to be paid by them to the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, on Account of the ſame. And for the Purpoſe of properly fulfilling this Agreement, the ſaid Erneſt Alexander Johnſon doth hereby promiſe and agree, to and with the ſaid United Company, at his own Coſts and Charges, at all Times during the Continuance of theſe Preſents, to keep a capable and ſufficient Deputy, with every Detachment of the Troops belonging to the ſaid United Company, to anſwer the Demands and obey the Directions and Orders of the Commanding Officer of each Detachment reſpectively, and to perform the Conditions and Covenants herein-before contained, on the Part and Behalf of the ſaid Earneſt Alexander Johnſon, which Deputies are reſpectively to be firſt approved by the Governor General for the Time being of the ſaid Preſidency; and, on entering into the Service and Duty aforeſaid, are to be obliged to give ſuch reaſonable Security as ſhall be demanded of them by the ſaid Governor General, that they the ſaid Deputies, nor either of them, will engage in any Trade or Buſineſs whatſoever, other than that of the ſaid Erneſt Alexander Johnſon, reſpecting the * the Matters herein-before contained. And the ſaid United Company of Merchants of England trading to the Eaſt Indies, for the Conſiderations aforeſaid, do hereby for themſelves, their Succeſſors and Aſſigns, covenant, promiſe, and agree, to and with the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, that they the ſaid United Company, their Succeſſors and Aſſigns, ſhall and will well and truly pay, or cauſe to be paid to the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, during the ſaid Space of Three Years, commencing and finiſhing at ſuch Times as are herein-before mentioned, the ſeveral Sums of Money following; that is to ſay, For every Draught Bullock employed on actual Service, within the Provinces of Bengal, Bahar, and Oriſſa, the Sum of Sonaut Rupees Three and Seven Annas per Menſem; and for every Carriage Bullock the Sum of Sonaut Rupees Three and Three Annas per Menſem; and for every Draught Bullock, either employed or unemployed, and detained for the Uſe of the ſaid United Company, out of the ſaid Provinces, the Sum of Sonaut Rupees Five per Menſem for every Draught Bullock, and Sonaut Rupees Three and Ten Annas per Menſem for every Carriage Bullock; and alſo for ſuch Bullocks as ſhall remain within the ſaid Three Provinces, and unemployed, the Sum of Sonaut Rupees Two, Nine Annas and Six Pice per Menſem. And further, that they the ſaid United Company, their Succeſſors and Aſſigns, ſhall and will well and truly pay, or cauſe to be paid, to the ſaid Erneſt Alexander Johnſon, his Executors or Adminiſtrators, for his Care and Management, and for the feeding and keeping, and the providing with Servants, as herein-before is mentioned, the Camels employed, or to be employed, in the Service of the Army of the ſaid United Company, during ſuch Time as aforeſaid, the ſeveral Sums of Money following; that is to ſay, For all and every the Camel and Camels which ſhall be the Property of, and belonging to, the ſaid United Company, either within or without the Provinces, the Sum of Sonaut Rupees Sixteen per Menſem; and for each and every ſuch Camel and Camels which ſhall be the Property of, and belonging to, him the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, and employed by the ſaid United Company, either within or without the Provinces as aforeſaid, the Sum of Sonaut Rupees Thirty per Menſem: And further, they the ſaid United Company, their Succeſſors or Aſſigns, ſhall and will well and truly pay, or cauſe to be paid, to the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, the ſeveral Sums of Money ſo to become due as herein-before is mentioned, within One Month at fartheſt after his or their Bill and Bills ſhall be preſented for the ſame, duly atteſted and certified by the Commiſſary General for the Time being; and that for the greater Convenience of the ſaid Erneſt Alexander Johnſon, ſuch Bills ſhall be paid or diſcharged either at the Place or Places reſpectively where the ſame ſhall become due, or at the Preſidency of Fort William in Bengal, at the Option of the ſaid Erneſt Alexander Johnſon: And further, that they the ſaid United Company ſhall and will, during the Continuance of the ſaid Term of Three Years, from Time to Time as Occaſion ſhall require, well and truly furniſh and provide the ſaid Erneſt Alexander Johnſon with all and every ſufficient Eſcort and Eſcorts as may be neceſſary for the conveying the ſaid Bullocks and Camels to and from the ſaid Army, or any Detachment thereof, as Occaſion may require; and when at or with ſuch Camp or Detach-

* Sic in Orig.

Detachment, ſhall and will find and provide ſuch Safeguards to take Care of them, as ſuch Army and Detachment will admit of: And it is further agreed, by and between the Parties to theſe Preſents, that if at any Time during the ſaid Space of Three Years, the Urgency of Affairs ſhould require a further or greater Number of Cattle to be provided, for the immediate Service of any Brigade or Detachment of the ſaid Army, the ſaid Erneſt Alexander Johnſon doth hereby promiſe and agree to provide the ſame, within the Space of One Month after Notice ſhall be given, in Writing, by the Commanding Officer of ſuch Brigade or Detachment ſo wanting the ſame, either to him, or any or either of his Agents or Servants who ſhall reſide with the ſame Brigade or Detachment for that Purpoſe; and if in Caſe and * ſuch Emergency, the uſual Price of ſuch Bullocks ſhould be thereby enhanced, and the ſaid Erneſt Alexander Johnſon, his Executors or Adminiſtrators, ſhall be obliged to pay to the Proprietors of ſuch Cattle, more than the Sum of Sonaut Rupees Twelve and Eight Annas for each and every Draught Bullock ſo purchaſed, and for each and every Carriage Bullock more than the Sum of Sonaut Rupees Eight; that then, and in that Caſe, when the Commanding Officer of ſuch Brigade or Detachment ſhall have certified the Number ſo purchaſed, and the extra Price ſo paid for the ſame, the ſaid United Company, for themſelves, their Succeſſors and Aſſigns, do hereby promiſe and agree to pay the ſaid Erneſt Alexander Johnſon, his Executors and Adminiſtrators, all ſuch Surplus Money which he or they ſhall be ſo obliged to pay for the ſame, over and above the ſpecified Sums above-mentioned, and that in the ſame Manner, and at the ſame Times and Places as are above ſtipulated for the Payment of the other Sums of Money, agreed to be paid for the Feeding the ſame as aforeſaid. Provided always, and it is hereby declared to be the true Intent and Meaning of the Parties to theſe Preſents, that whenever the Roads ſhall be extraordinary bad, or the Bullocks ſhall be fatigued with forced Marches, and thereby diſabled from drawing or carrying the Weight herein-before mentioned, or the Camels ſhall happen to die from the ſame Cauſes, or either of them, and the ſame ſhall be aſcertained to the Satisfaction of, and certified by, the Commanding Officer of any ſuch Detachment, where the ſame Accident ſhall happen, that ſo ſuch Accident ſhall be deemed any Breach of any or either of the Covenants herein-before contained, on the Part and Behalf of the ſaid Erneſt Alexander Johnſon, his Executors or Adminiſtrators. And further, that the ſaid Erneſt Alexander Johnſon ſhall and will, at the Expiration of the ſaid Term of Three Years, well and truly deliver over to any ſucceeding Contractor, or to any other Perſon or Perſons the ſaid United Company, or the Governor General and Council for the Time being, ſhall appoint for the Purpoſe of receiving the ſame, all and every the Camel and Camels which ſhall be the Property of or belonging to the ſaid United Company, and which at ſuch Time as aforeſaid, ſhall happen to be in the Cuſtody or Power of him the ſaid Erneſt Alexander Johnſon, his Executors or Adminiſtrators. In Witneſs whereof the Honble. the Governor General and Council have hereunto ſet their Hands, and cauſed the Common Seal of the ſaid United Company to be affixed; and the ſaid Erneſt Alexander Johnſon hath alſo ſet his Hand and Seal, the Day and Year firſt above-written.

* Sic in Orig.

(Signed)

" Sealed and delivered (where no Stamps are in Uſe, or to be had) in Preſence of } " Warren Haſtings, (L. S.)
" Richd Barwell,
" P. Francis.

" Signed { Geo. Hodgſon, Iſaac Baugh. } " E. Alexander Johnſon." (L. S.)

(No Signature at the End of the Conſultation.)

Read, from Book 430, already delivered in, the following Extract of a Conſultation of the 15th July 1779, beginning at Page 46 of the ſame Book.

" Milv Dept, Fort William, 15th July 1779.

Sir Eyre Coote's Minute of the 7th July continued.

" Proceedings of the Governor General and Council, dated as above.

" At a Conſultation; Preſent,

The Honourable Warren Haſtings Eſquire, Governor General;
Richard Barwell,
Philip Francis,
Edwd Wheler, } Eſquires.

Not preſent—Sir Eyre Coote.

" The Remarks offered to the Board by General Stibbert, in his Letter dated the 22d Auguſt 1778, on the preſent State of the Draft and Carriage Bullock Trains, required their immediate Attention. As we are now in a State of War, I deem it unneceſſary to ſet forth the indiſpenſible Neceſſity of having theſe Trains put in the beſt Order poſſible, as the Succeſs of every Operation in War depends ſo * immenently on the good or bad Condition of the Artillery Trains. As therefore Service may be expected, and if the well ordering of this Train can be only effected, on

* Sic in Orig.

the

the increaſed Charges ſpecified in the annexed Plan, it muſt be paid. For the Draft of theſe Regulations, I am indebted to the Governor General, whoſe Attention this Buſineſs had engaged before my Arrival; and I further learn, that it carries with it the joint Recommendation of the Commanding Officer of Artillery and General Stibbert: Some few Alterations I have alſo made, as came within the Sphere of my own Obſervation. Should the Board deem any further Alteration neceſſary, I ſhall only recommend the final Adjuſtment being made as ſpeedily as poſſible." (*a*)

(No Signature at the End, either of the Minute or of the Conſultation.)

Read, the following Extract of Sir Eyre Coote's Minute from a Conſultation of the 3d Auguſt 1779, beginning at Page 143 of the ſame Book.

" Milʸ Depᵗ, Fort William, 3d Auguſt 1779.

" Proceedings of the Governor General and Council.

" At a Conſultation; Preſent,

The Honble. Warren Haſtings Eſquire, Governor General;
Richard Barwell,
Philip Francis,
Edward Wheler,
Sir Eyre Coote, } Eſquires.

"ABSTRACT of the Artillery, Draught and Carriage Train for a Brigade in the Field.

		Field Pieces.						Draught Bullocks.							
		Guns and Carriages.	Spare Carriages.	Tumbrils.	Spare Tumbrils.	Carts.	Waggons.	For each ſpare Gun and Carriage.	For each ſpare Carriage.	For each Tumbril.	For each ſpare Tumbril.	For each Cart.	For each Waggon.	One ſpare Bullock to every Six.	Total Draut Bullᵏˢ.	Total Carriage Bullocks.
Artillery Park.	12 Pounders — —	2	1	4	1	-	-	10	8	10	8	-	-	-	76	
	6 Pounders — —	8	2	8	2	-	-	8	6	10	6	-	-	-	168	
	5½ Inch Howitzer — —	2	1	2	1	-	-	6	6	10	8	-	-	-	46	
	Treaſure — —	-	-	1	-	-	-	-	-	10	-	-	-	-	10	
	For the Artificers — —	-	-	-	-	2	-	-	-	-	-	10	-	-	20	
	For the Genˡ — —	-	-	-	-	-	1	-	-	-	-	-	16	-	16	
Sepoy Guns, 6 Pounders — —		22	6	11	3	-	-	8	6	10	6	-	-	-	340	
One ſpare Bullock to every Six for the Carriage of Ammunition		-	-	-	-	-	-	-	-	-	-	-	-	113	113	
		-	-	-	-	-	-	-	-	-	-	-	-	-	-	569
Total — —		-	-	-	-	-	-	-	-	-	-	-	-	-	789	569

Draught by Sir Eyre Coote.

" The Service performed by the Corps of Troops, now termed the Temporary Brigade, to be executed in future by a Detachment from the Brigade next for Frontier Duty, to be compoſed as under; viz.

1 Regiment of Cavalry;
6 Battalions of Sepoys;
1 Company of Artillery, and Battalion of Laſcars attached to it, under the Command of One Lieutenant Colonel, and One Major of Infantry, and One Major of Cavalry, and with the Train of Artillery hereafter ſpecified:
1 Regiment of Cavalry from the Brigade on the Frontier Station;
1 Regiment of Cavalry from the Brigade at the Preſidency, with their Field Officers.

(*a*) Vide Appendix, N° CXC.

" This

" This Detachment, viz. Artillery and Infantry, to be relieved at the Expiration of * Years, and the complete Brigade, for Frontier, alſo every * Years, when the Service will permit.

* Sic in Orig.

* Sic in Orig.

" On the 1ſt Occaſion, the Relief of the Frontier and Temporary Brigades to be effected in Manner following; viz.

" The Firſt Brigade to be relieved by the Second Brigade from Berhampore.

" The Third Brigade at the Preſidency, to be relieved by the Firſt from the Frontier Station; the Third Brigade to occupy the Quarters at Berhampore, detaching One of the Two Companies of Artillery and Battalions of Laſcars, by which it will be joined on its leaving the Preſidency from the Regiment of Artillery, with Three Battalions of Sepoys, under the Command of a Lieutenant Colonel and a Major, and to proceed to the Poſt of Futty Gurr, for the Duty of the actual Temporary Brigade.

" On the Relief of the Firſt Brigade, Three of the Nine Battalions of the Corps now termed the Temporary Brigade, with the Company of European Artillery attached to it, to join the Firſt Brigade, to which it will be annexed, and proceed to the Preſidency.

" Of the remaining Six Battalions of this laſt-mentioned Corps, Three to join the Second Brigade, to which they will be annexed on its Arrival on the Frontier Station, and the remaining Three to continue to occupy the Poſts where they may be ſtationed, until the Three Battalions from the Third Brigade arrive at Futty Gurr, to which Corps of Sepoys, viz. The Third Brigade, theſe Three Battalions will be annexed." (*a*)

(No Signature at the End, either of the Minute or Conſultation.)

Read, the following Extract of a Conſultation of the 9th Auguſt 1779, beginning at Page 271 of the ſame Book.

☞ [" Mily Dep^{t}, Fort William, 9th Auguſt 1779.

" Proceedings of the Governor General and Council.

" At a Conſultation; Preſent,

The Honourable Warren Haſtings Eſquire, Governor General;

Richard Barwell,
Philip Francis,
Edward Wheler,
} Eſquires.

Not preſent—Sir Eyre Coote.

" On the Commander in Chief's Minute, under the Head of Draught and Carriage Contract.

" The Governor General propoſes, that the Plan recommended by the Commander in Chief for a new Contract for the Draught and Cattle, be approved; and that an Offer be made to the preſent Contractor, to contract with him on the Terms preſcribed therein, inſtead of the Contract now in Force.]

§ (" Mr. Francis.—I am of opinion, that the Service to be performed ſhould be advertiſed in " the Terms of the Minute, and Propoſals received for executing the ſame, the Preference to be " given to the loweſt Bidder, for One Year only. Government ſhould always reſerve to themſelves " the Power of renewing theſe Contracts, and obtaining better Terms for the Company, at ſhort " Periods, ſuch as One Year. If in that Period the Service be well executed, the Contract may " be continued to the ſame Perſon, and this will be an Incitement to him to do his Duty. As to " giving ſuch a Contract for Five Years, I never will conſent to it, nor will I ſign it. At this Rate, " the Hands of the ſucceeding Government will be tied up from retrenching any Publick Expence, " or making any one Alteration, however neceſſary, for the Service or beneficial to Government.

" Mr. Wheler.—I agree with Mr. Francis in every Particular; and am convinced, from my own " Experience, that it can neither be ſafe for the Contractor, or prudent for Government, to enter " into Engagements for victualling the Army, or ſupplying Stores to a Garriſon, for a Period " exceeding the Time mentioned in Mr. Francis's Minute. I beg Leave to be underſtood by " this, I do not mean that the Contractor ſhould of Neceſſity be changed annually; but that their " Engagement with Government ſhould be renewed annually, by which the Contractor, on the " one Hand, may be relieved from an improvident Bargain, and the Company, on the other, " from an extravagant one.

" The Contractor has at all Times, from being converſant in his Buſineſs, from his Stock in " Hand, from a Knowledge of his own Profit and Loſs, and from the Command which, by a " conſtant Conſumption of the Articles of his Contract, he acquires of the Markets, the Power " of ſerving Government upon much better Terms than any Competitor, while the Company, by " encouraging Competitors, lower the Demands of the Contractor within ſuch Limits as are ad- " vantageous to the former, while they afford ſufficient Encouragement to the latter.

(*a*) Vide Appendix, N° CXCI.

" Mr. Barwell.—I agree to the Propoſition. I don't think it neceſſary to enter into a Diſcuſ-
" ſion at this preſent Time, convinced, as I am, that it would anſwer no other Purpoſe than to
" prolong the Debate; and that every Perſon who is at the Trouble of conſidering the Subject,
" and reaſoning upon it, will be ſatisfied that the Service propoſed cannot poſſibly be executed
" on a Contract of One Year or Two.

" Governor General.—I agree to the Motion.

" Reſolved, That the Plan recommended by the Commander in Chief for a new Contract for
" the Draught and Carriage Cattle, be approved; and that an Offer be made to the preſent Con-
" tractor, to contract with him on the Terms preſcribed therein, inſtead of the Contract now in
" Force.

" Read, Minute by the Commander in Chief on the * Donation to the Troops which ſerved in
" the Rohillah War. Alſo his Second Minute on the ſame Subject, in Date the 2d Auguſt: viz.

* See Proceedings 15 July, P. 47.

Minute by Sir Eyre Coote, dated 2d Inſt.

" I beg Leave to draw the Attention of the Board to the preſent Situation of that Part of the
" Army which is entitled to the Donation of the Vizir Sujah ul Dowlah, in the Year 1774.

" On the 2d January 1775, it was reſolved by the Board, to depoſit the Amount, when col-
" lected, in the Publick Treaſury, until ſuch Time as the Reſolution of the Court of Directors
" might be received.

" On the 27th of October 1777, this favourable Reſolution and Promiſe to the Army was
" reſcinded, becauſe the Vizier's Debt to the Company had then riſen to Fifty Lacks.

" Five different Repreſentations have been made by this Board to the Court of Directors upon
" this Claim, which has been now pending Five Years, without any Anſwer whatever, but One
" Promiſe of above Four Years Date, that they would ſhortly communicate their Sentiments to us
" upon it.

" Seeing the little Encouragement we have to hope for the Receival of any Directions from them
" upon this Subject, and being informed that the Cauſe is now removed which induced the Board,
" on the 27th of October 1777, to reſcind the firſt favourable Reſolution of the 2d January 1775,
" as the Vizier's Debt to the Company is almoſt totally liquidated, I think it incumbent upon us
" to go as far as may lay in our Power, to facilitate the Recovery of ſo equitable a Claim, which,
" indeed, I think it might prove fatal to diſcourage, particularly as the Army poſſeſſes the Promiſe
" of this Board in their Favour.

" Nor is this Claim to be viewed ſimply in the Light of a Gift, but a Sum agreed to be given
" in lieu of, and to ſave a much larger, for it is well known, that the Plunder of Peelabet, Bar-
" relli, Ouhla, and Biſſouly, which was withheld in Conſideration of this Sum, would much
" have exceeded it.

" I therefore propoſe, that in Furtherance of the Reſolution of the 2d January 1775, and the
" Promiſe then made to the Army, the Vizier's Bonds for 10,50,000 be immediately ſent to our
" Reſident at the Vizier's Court, with Orders to endeavour, as ſoon as poſſible, to obtain ſeparate
" Tunkaws for the Amount of this Sum; and that he collect it with all proper Diſpatch, and
" remit the Amount to the Preſidency, where it may then (as I think it ought) be diſtributed
" to the Army; but if that ſhould not be agreed to, it may in that Caſe reſt until the final Reſolu-
" tion of the Court of Directors may be received.

" Mr. Wheler.—In Anſwer to that Part of Sir Eyre Coote's Minute, which ſeems to imply that
" the Donation to the Army on Account of the Rhohillah War, has been retarded by the Inat-
" tention of the Court of Directors, I beg Leave to obſerve, that it is not in their Power to order
" a Diſtribution of that Sum, without the Aſſent of the Legiſlature being previouſly had and ob-
" tained; and I may with equal Truth obſerve, that for the Court of Directors, at any One Time
" within the given Period, to have thrown the Affair of the India Company into Parliament for
" this Purpoſe only, would have been an Act of Indiſcretion, if not an Act bordering almoſt
" on Inſanity. Every other Step neceſſary for the Diſcharge of this Obligation, was taken by
" the Court of Directors previous to my Departure from England; the Opinion of a Board of
" Field Officers, on the Propriety of the Claim, not excepted.

" I have no Sort of Objection to the Propriety of receiving it; but apprehend we are not au-
" thorized to diſtribute it.

" Mr. Francis.—On the 27th October 1777, it was reſolved by the Opinion of the Governor
" General and Mr. Barwell, againſt mine, that no Means could with Propriety be taken.

" If it is propoſed to reverſe this Reſolution, I ſhall agree to it; but I am of Opinion, that the
" Amount of the Donation is not properly demandable from the Nabob, at leaſt not in the
" Firſt Inſtance. I think it ſhould be demanded from the Begum, who got Poſſeſſion of all the
" late Vizier's Perſonal Property, and particularly, I believe, of the Wealth and Effects taken
" in the Rhohillah Country. This was always my Opinion; and I believe I have by me a
" Minute to the ſame Effect, which I intended to have recorded on the 27th October, if the
" Queſtion for making the Demand had been then carried. If I can find it, I ſhall beg it may
" be entered in this Place.

" The

" The Donation was promiſed to the Army, as a Compenſation for their Share of the Plunder of certain Places in the Rhohillah Country, which they were intitled to by the Laws and Practice of War. Suja Dowla had the ſole Benefit of this Compromiſe, as he appropriated and carried away with him the entire Spoils of the conquered Chiefs. If any Booty was acquired, it was by his own Troops. It is alſo well known that the Wealth, of which he poſſeſſed himſelf by theſe Means, or the moſt conſiderable Part of it, was conveyed to Fyzabad, and depoſited in the Palace now occupied by the Begum; this, in my Opinion, is the Fund which ſhould be anſwerable in the firſt Inſtance for the Donation to the Army, as their Acceptance of the Nabob's Promiſe in effect preſerved the Whole from Plunder: no Will or Requeſt of Suja Dowla can give the Begum a Right to the Succeſſion to his perſonal Property, without binding her at the ſame Time to the Acquittance of his Debts. I think, therefore, that our Reſident ſhould be inſtructed to ſtate the Caſe to the Begum, and demand the Amount of the Donation from her, to be kept in depoſit by us, and diſpoſed of hereafter according to the Inſtructions we may receive from the Court of Directors."

Minute referred to in the above, delivered to the Secretary by Mr. Francis.

Mr. Francis, Minute by, intended to have been recorded 27 Oct. 1777.

" Mr. Francis.—Whenever or from whomſoever the Money ſhall be received, I am of Opinion, it muſt remain as a Depoſit in the Treaſury, for the future Diſpoſition of the Company or of Parliament.

" Mr. Barwell.—I do not ſubſcribe to the Senſe Mr. Francis has aſcribed to the Reſolution of the 27th October 1777. My Opinion is in theſe expreſs Words: 'Under the preſent Circumſtances of this Government, I do not think any Meaſure ought to be taken.' It is exceeding the Meaning of theſe Words to apply them to the preſent Day, the 9th Auguſt 1779, inſtead of confining them to the Year 1777. The Debt due to the Company was enormous at that Period, and the whole Burthen of the Recovery of it reſted with that Influence on the Adminiſtration, which began to operate on the recent Appointment of Mr. Middleton in the Place of Mr. Briſtow, though Mr. Briſtow, excluſive of the ordinary Means offered by the Oude Government, did, under the Sanction of the Adminiſtration in Calcutta, upon an Application from the Nabob Aſoph O'Dowlah, extract * the Amount of Fifty Lacks from the Begum, for which this Government guarranteed that no further Demands ſhould be made upon her, &c. under the Pretext ſuggeſted in this Day's Debate.—Mr. Briſtow's Letter is dated 16th October * 75, and the Guarrantee of this Government to the Nabob's Treaty with the Begum is dated the 15th of October 1775, (both entered in Conſultation 8th November 1775). I will not pretend to ſay, that the Begum felt all the Diſtreſs ſhe pretended to expreſs on that Occaſion; but this is a notorious Fact, that among the Jewels delivered up by her to Mr. Briſtow, our Reſident, and ſold at publick Auction at Calcutta, was the Vizier's Hookah, ſet in Diamonds. The Opinion Mr. Francis imputes to me, I cannot admit in the Senſe in which he interprets it; there is a great Difference between denying a Claim, and, under certain Exigencies of Government, protracting to urge it; but this, I think, I have ſufficiently explained, and our Reſolution of the 2d January 1775, by which I was equally bound at that Period, as I conceive the Board to be at this, declares the Right of the Army, and a Determination to ſecure that Right. As it will clear this Point much to have the Particulars of that Day's Record follow the preſent Diſcuſſion, I deſire that the Secretary do call on Mr. Auriol for a Copy of it.

* Sic in Orig.

* Sic in Orig.

" Extract Conſultation, 2d January 1775.

Extract Proceedings 2d Jan. 1775.

"" Reſolved, That the Expedient propoſed by the Governor General, in his Minute of the 19th ultimo, be adopted.

"" That the Sum offered by the Vizir, as a Gratuity to the Army, be received as a Depoſit into the Company's Treaſury; and that an Application be made in the next General Letter to the Court of Directors, for their Intereſt to obtain the Confirmation of the Grant, by ſuch legal Means as they in their Wiſdom may chuſe to employ. And further that, for the Purpoſe of aſcertaining the Share which may be due to each Individual, whenever the Diſtribution ſhall take Place, as well as to inſpire them with a greater Degree of Confidence to hope for the promiſed Reward, by defining the Object of it, an Account be formed for their ſeparate Shares, to be made publick, with a Declaration that the Money will be kept ſacred, as a Depoſit, until the Pleaſure of the Court of Directors ſhall be known; and as ſoon as the Board is authorized to pay it, that Payment will be made to the Parties, their Heirs, Executors, or Adminiſtrators, without any Deduction whatſoever."

Mr. Barwell's Minute continued.

" As the Publick Debt to the Company, by the Attention which has been given to the Reduction of it, is now nearly liquidated, I am of Opinion, that the Revenue of the Lands that were aſſigned to diſcharge it, ſhould be retained, until this Claim of the Military is diſcharged. When we are poſſeſſed of the Amount, it is poſſible we may likewiſe be poſſeſſed of the Company's Directions touching the iſſuing of it; if we do not, it will be Time enough to vote upon the Queſtion, Whether it ſhall then be iſſued? Every previous Step has been taken relative to the Diſtribution of it to the Army; to diſincumber the Queſtion, and render it the ſimple one I have above deſcribed.

" Mr. Francis.

" Mr. Francis.—I beg it may be underſtood, that I do not acquieſce in any Part of the preceding " Minutes, that reſpects the Circumſtances of the Begum and her Son, though it would lead me too " far to enter into a Refutation of it at this Time. On one Fact I beg Leave only to obſerve, that the " Agreement alluded to by Mr. Barwell was for Thirty Lacks only, of which I am almoſt certain, from " Memory, that no more than Two-thirds were paid. But, be this as it may, the Donation Money, " as I underſtand it, is due, not from the preſent Nabob, but from the Perſon who inherited or " got Poſſeſſion of the Perſonal Property of the late Vizir, conſequently the Demand, if made on " the Begum, is not on Account of the preſent Nabob, nor would it be any Violation of the Agree- " ment above-mentioned, ſuppoſing that Agreement to have been faithfully executed on her Part.

Reſolution propoſed by the Governor General.

" That in Furtherance of the Reſolution of the 2d January 1775, and the Promiſe then made to " the Army, the Vizier's Bonds for 10,50,000 be immediately ſent to our Reſident at the Vizier's " Court, with Order to endeavour as ſoon as poſſible to obtain ſeparate Tunkaws for the Amount " of this Sum, and that he collect it with all proper Diſpatch, and remit the Amount to the " Preſidency, there to remain as a Depoſite * in the Company's Treaſury, until the final Reſolution " of the Court of Directors may be received concerning it.

* Sic in Orig.

" Agreed to by the Board.

See Proceedings 15th July, Page 51.

" Read, Minute by the Commander in Chief on Fortifications and Buildings.

" The Board moſt heartily agree with the Commander in Chief in the Opinion which he has ex- " preſſed of the Propriety of erecting a Church in Fort William, and think it the more neceſſary " that a Work of this Kind ſhould be immediately begun, not only on Account of the preſent ad- " vanced State of the Works, and neceſſary Buildings in the Fort, but becauſe the Honourable the " Court of Directors have already enjoined it in their Orders of ſo remote a Date as the

" Agreed, therefore, that the Chief Engineer be directed to form the Plan, Section, and Eſti- " mate of a Church, attending to the additional Purpoſes recommended by the Commander in " Chief. The Foundation thereof only to be immediately laid; and that it be included in the " Eſtimate of the next Year.

See Proceedings 15th July, Page 55.

" Read, the Commander in Chief's Minute on the Hoſpital Contract.

" Ordered, That at all the Military fixed Stations, ſuch as Fort William, Berhampore, Dina- " pore, and Futty Gur, as well as in ſtanding Cantonments, Convaleſcent Hoſpitals be eſtabliſhed " under the Inſpection and Care of the Surgeons of the Corps ſerving there, for the Reception of " Patients ſlightly indiſpoſed, to be removed from thence to the General Hoſpital as their Caſe may " require.

* Sic in Orig. See Proceedings 15th July, Page 61.

" Read, Minute by the Commander in Chief's * Minute under the Head of Adjutant " General.

" Mr. Francis.—The preſent Adjutant General's Allowances are as follow:

" 36 R^s per Day, Pay and Batta.
" 100 R^s per Month, Houſe Rent, and an Eſtabliſhment of 270 R^s ℔ Month, which " laſt, if he takes the Field, is to be increaſed to 600.
" Amounting in all to the Sum of { 21,180 Son^t R^s. / 23,510 C^t R^s.

" I think theſe Allowances are fully ſufficient, and cannot conſent to increaſe them.

" Mr. Wheler.—I am againſt any further Increaſe to the Eſtabliſhment of Adjutant General.

" Mr. Barwell.—I agree to the Allowance for Writers. I do not allow it to be any Addition " to the Salary of the Adjutant General; he is only the Channel through which the Salaries of " the Servants, acting under him, are diſburſed. To fix a Salary and Allowances to the Station " of Adjutant General, and then appropriate it, or oblige the Adjutant General to appropriate it, " to pay the Writers he is forced to employ to keep up the Buſineſs of the Office, in my Opi- " nion, would be a Mock. I therefore agree to the Recommendation; and that Sir Eyre Coote " was under the indiſpenſible Obligation to make it.

Reſolution propoſed by the Governor General, and agreed to by Mr. Barwell.

" That if the Adjutant General be allowed 800 Rupees ℔ Month, for Contingencies for Wri- " ters, in lieu of his preſent Eſtabliſhment of 90 Rupees; but that this Allowance is to ceaſe on " the Departure of the Commander in Chief to any other Preſidency.

* Recorded in Proceedings of Council 15th July, Page 61.

" Read, Minute * by the Commander in Chief on the Military Store Keeper General.

" Agreed, That a Copy of the Minute be tranſmitted to the Board of Ordnance for their previ- " ous Conſideration.

† Recorded in Proceedings of Council 16th July, Page 77.

" Read, Minute † by the Commander in Chief on the Surveyor General.

" Governor General.—I moſt heartily concur in the Opinion expreſſed by the Commander in " Chief, of the Diſproportion of the preſent Allowances to the Importance of this Office, and the " Abilities which are requiſite to qualify the Surveyor to diſcharge the Duties of it, and on this " Ground I recommend the following Eſtabliſhment:

" Salary

" Salary — — 651
" Houſe Rent — — 400
" Draftſmen, Stationary, and Charges of Office to be drawn by the actual
" Charge, but limited to 600 Rupees.

" Could I hope that my Recommendation would avail, I would further propoſe, that the Merits " of the laſt Surveyor General, to whoſe uncommon Abilities, Aſſiduity, Patience, and an Intre- " pidity, approved by the many Trials to which he has been expoſed in the Courſe of the Surveys " made in his own Perſon, ſhould be again reported to the Court of Directors, that if they ſhall " approve of the Salary now recommended, it may be further ordered to take Place from the " Firſt Date of his Appointment.

" Mr. Francis.—I deſire the Secretary will ſtate the whole Allowances now drawn by the Sur- " veyor General; until I ſee that, I can give no further Opinion.

" Mr. Wheler.—I agree to it.

" Mr. Barwell.—I agree to it; and that a Recommendation be made to the Court of Directors, " as propoſed by the Governor General.

" Reſolved, That the following Eſtabliſhment be granted to the Surveyor General:

" Viz.

	Rupᵉ.
" Salary — —	651 per Month.
" Houſe Rent — —	400
" Draftſmen, Stationary, and Charges of Office to be drawn by the actual " Charge, but limited to 600 Rupees.	

" That the Merits of the late Surveyor General Major Rennell, to whoſe uncommon Abilities, " Aſſiduity, Patience, and an Intrepidity, approved by the many Trials to which he has been " expoſed in the Courſe of the Surveys made in his own Perſon, be again reported to the Court " of Directors; that if they ſhall approve of the Salary now recommended, it may be further " ordered to take Place from the Date of his firſt Appointment.

" Read, the Commander in Chief's Minute on a Fund for Orphan Children.

" Sir Eyre Coote.—The Orders by the Court of Directors and the Board, under this Head, to " be * publiſhed. As I find the Sums which may ariſe from the Deduction of 10 ℔ Cent. on the " Pay neglected to be drawn for after Two Months, is † unappropriated, although I expect " very little from it, I beg Leave to propoſe, that it may be allotted as the Foundation for a " Fund for the Orphan Children of European Soldiers, until ſome more ſufficient Proviſion is " made for theſe deſtitute Children, whoſe Caſe I recommend to the Board, and propoſe that the " Paymaſters of Brigades, with the Authority of the Commanding Officer, do reſtrain ‡ this Money, " and keep a ſeparate Account of it. (See Page 244.)

* Sic in Orig.
† Sic in Orig.
‡ Sic in Orig.

" Agreed, That a previous Trial be made of the Expedient recommended by the Commander in " Chief; and that the further Conſideration of the Subject be deferred till the Reſult of it be " known.

" Read, Minute by the Commander in Chief on the * Depot of Proviſion for Fort William.

* See Proceedings 15 July, P. 47.

" Governor General.—Having received frequent Remonſtrances from the Agent for this Depot, " concerning the heavy Loſſes and Inconveniences to which he is ſubjected by the indefinite Term " of his Agency, which obliges him to purchaſe the different Articles of the Stores at the current " Prices of the Markets, and in ſuch Quantities as are ſpecified in the preſcribed Liſts, which in " Times of Scarcity can neither be procured of equal Qualities as in Seaſons of Plenty, nor " without an Increaſe in the Price, ſometimes even greatly exceeding the Rates preſcribed in the " Table formed by the Board, the Governor General recommends, that the Agency be converted " into a Contract, and be fixed for the Term of Five Years. The Governor General deſires his " Motion to be inſerted in this Place; but to prevent any Delay in paſſing the Reſolutions required " by the Subjects expreſsly ſubmitted to the Board by the Commander in Chief in his Minute, he " deſires that the Opinion of the Board may be received upon it in Circulation.

" Read, Minute by the Commander in Chief in Reply to the Reference made to him on Captain " Renny's Pretenſions to command a Battalion of Sepoys from Seniority.

Recorded in Proceedings 16 July, P. 80.

" Letter from Captain Renny.

" To Sir Eyre Coote Baronet, Commander in Chief of the Forces, &c.

Capt. Renny, incloſing Certificates.

" Sir,

" In Conſequence of the General Orders, all Addreſſes from Officers to the Board are to come " through the Channel of the Commander in Chief; I therefore take the Liberty of incloſing you " an Addreſs, with a few Certificates of my Conduct as an Officer, and requeſt you will be pleaſed " to lay them before the Honourable Board.

" I hope, Sir, you will take my long Service into Conſideration, and grant your kind Aſſiſt-
" ance in relieving me from an Anxiety of Mind I have laboured under for theſe many Months.

" I have the Honour to be, with due Reſpect,
" Sir,
" Your moſt obedient and
" Moſt humble Servant,
" Calcutta, (Signed) " George Renny,
" the 30th March 1779. " Capn 1ſt Regiment."

Capt. Renny. " To the Honble. Warren Haſtings Eſquire, Governor General, and the Supreme Council.

" Honble. Sir and Sirs,

" As I am informed that my Repreſentations to your Honourable Board are now under your
" Conſideration, I beg Leave to incloſe in this the ſeveral Certificates granted to me by the Field
" Officers, under whom I had the Honor to ſerve, which I hope will have due Weight with you,
" and remove the Grievances I labour under.

" I have the Honour to be, with due Reſpect,
" Honble. Sir and Sirs,
" Your moſt obedient and
" Calcutta, " Humble Servant,
" the 30th March 1779. (Signed) " George Renny,
" Capn 1ſt Regiment."

* Sic in Orig. Major Auchmuty's Certificate. " I do certify, That Captain George Renny having * ſerved for near Four Years under my
" Command in the 1ſt Brigade, during which Time, as an Officer, he always acquitted himſelf to my
" Satisfaction on every Duty.

" Camp near Futty Ghur, (Signed) " A. Forbes Auchmuty,
" the 5th January 1779. " Major."

Major Blair's Certificate. " To Captain Renny, 1ſt Regiment of Infantry.

" Sir,

" I have received your Letter, ſetting forth the Injury you conceive yourſelf to have
" ſuſtained by your Name being paſſed over in the Appointments to Battalions of Sepoys, and
" requeſting a few Lines in Support of your Character as an Officer.—If your Obſervation is
" well founded, that this Superceſſion has taken Place without any Cauſe whatſoever, I cannot
" help agreeing with you, that it is a manifeſt Prejudice to an Officer, as I have always conſi-
" dered it as an eſtabliſhed Rule of the Service, that Battalions of Sepoys were diſpoſed of accord-
" ing to Seniority.

" I am happy to have it in my Power to teſtify, that, for the ſeveral Years which you ſerved
" under my Command, you have always acquitted yourſelf as an Officer to my Satisfaction; and I
" ſhall be glad that if, in doing you this Piece of Juſtice, I can contribute in removing the Grievances
" you complain of.

" I am, Sir,
" Your obedient and
" Cawnpore, " humble Servant,
" January 14th, 1779. (Signed) " William Blair."

Lieut. Colonel Wilding's Certificate. " To Captn George Renny, of the Firſt Regiment.

" Sir,

" I have been favoured with your Letter of the 15th inſtant; and am, in Reply, to inform you
" that during the Time I had the Honour of commanding the Regiment to which you belonged,
" near the Space of Two Years, you never gave me Cauſe to diſapprove your Conduct reſpecting
" the Line of your Duty as an Officer under my Command.

" I have the Honor to be,
" Sir,
" Camp Futty Ghur, " Your moſt obedt Servant,
" 17th Jan. 1779. (Signed) " B. Wilding."

Lieut. Colonel Hampton's Certificate. " I do certify, That Captain George Renny has ſerved in the 1ſt Brigade, during the Time
" I had the Honor to command the ſame, in every Reſpect to my Satisfaction as an Officer; and
" who did command the Regiment for ſome Time.

(Signed) " Saml Hampton,
" Camp near Cawnpore, " Lieut Coll commanding
" 4th February 1779. " the 1ſt Brigade."

" To

" To Captn Geo. Renny.

Lieut. Colonel Upton's Certificate.

" Sir,

" At your Requeſt, I do certify, and with much Pleaſure, That during the Time you ſerved in " the 2d Battalion of the 1ſt Regiment, when commanded by me, you ever diſcharged your Duty " as an Officer entirely to my Satisfaction.

" I am, Sir,
" Your moſt obedient
" humble Servant,
(Signed) " J. Upton."

" Chunar Gur,
" 13th February 1779.

" To Capt G. Renny.

General Stibbert's Certificate.

" Sir,

" I have received your Letter of the 13th inſtant, requeſting I would ſignify to you the Pro- " priety of your Conduct as an Officer ſince my Return to India.

" In Reply, I am to inform you, that I have always heard that you have always done your Duty " as a good Officer. In which Light I have lately mentioned you to the Supreme Board.

" I am, Sir,
" Your obedt humble Servant,
(Signed) " G. Stibbert."

" Hd Qrs, Futta Ghur,
" February 18th 1779.

" Mr. Francis.—If, in eſtabliſhing a general and permanent Regulation, I thought myſelf at " Liberty to be guided ſolely by Motives of perſonal Confidence and Reſpect, I ſhould acquieſce in " the Propoſition, becauſe I am ſure that every Power veſted in the preſent Commander in Chief " will be executed by him with the moſt perfect Impartiality.

" I beg to be underſtood, to object to the Propoſition on a general Principle, and no other. " I think that Seniority of Military Service ſhould give a Title to Preferment, againſt which no " perſonal Choice or Preference ſhould be allowed to prevail in any Caſe, in which the Senior " Officer cannot be appointed without Danger, or great Inconvenience to the Service. An Ob- " jection, made by the Commander in Chief, ſhould be ſufficient to ſet him aſide; and the " next on the Liſt ſhould be appointed.

" Mr. Wheler.—I agree to the Motion as qualified in Mr. Francis's Minute.

" Mr. Barwell.—I aſſent.

" Governor General.—I aſſent.

" Read, Minute by the Commander in Chief, on erecting a Military School at Poonamalee. " Agreed to recommend it to the Court of Directors in the next Diſpatch.

See Proceedings 16 July, Page 80.

" Read, Minute by the Commander in Chief under the Hd Ft Wm.

See Proceedings 15 July, Page 51.

" Ordered, That the Chief Engineer be directed to form a Plan and Eſtimate of the Buildings " recommended in the Commander in Chief's Minute, and that he include it in the enſuing " Year's Eſtimate.") §

(No Signature at the End of the Conſultation.)

Read, from Book 433, the following Extract of a Conſultation, dated 2d September 1779.

☞ [" Fort William, 2d September 1779.

Thurſday.

" At a Board of Inſpection; Preſent,
The Honourable Warren Haſtings Eſq. Governor General, Preſident;
Richard Barwell, and Edward Wheler, } Eſquires.
Mr. Francis indiſpoſed. Lieutenant General Sir Eyre Coote abſent at Gyhretty.

" 31ſt Auguſt 1779.

Governor General's Minute on the Subject.

" The Governor General having carefully peruſed the Emendations for the Bullock Contract, propoſes the following Alterations:

" Inſtead of the 12th Article, he propoſes, that the Contractor ſhall be obliged to replace every Bullock diſcharged, dead, ſtolen, killed, or taken by the Enemy; viz.

Any Number not exceeding	12,	in 6	Hours	Under a Penalty of 16 Sicca Rs for each deficient Bullock.
Do — —	24,	in 12	Hours	
Do — —	40,	in 2	Days	
Do — —	60,	in 4	Days	
Do — —	100,	in 6	Days	
Do — —	200,	in 8	Days	

" This is intended to proportion the Penalty more accurately to the Deficiency.

" After

" After Art. 18, to be added the following Clauſe:

" And it ſhall be lawful for the Governor General and Council, at any Period after the Expiration of 18 Months from the Date of the Contract, to reduce any Part of the above Eſtabliſhment, giving previous Notice of 6 Months to the Contractor, at the Expiration of which Time the Reduction ſhall take Place; and to indemnify the Contractor for the Loſs which he ſhall ſuſtain by the ſuperfluous Stock which will lie in his own Hands, and by the Deprivation of ſuch Part of his Contract, he ſhall be allowed for each reduced Bullock at the Rate of 13 Sicca Rupees per Annum, for the remaining Term of his Contract. For Example; if, at the Expiration of 1½ Year from the Date of his Contract, he ſhall have Orders to reduce the Eſtabliſhment to 5700 Bullocks, he ſhall be allowed at the Expiration of 2 Years from the Date of his Contract, for the reduced Number, being 1000, an Indemnity of 39,000 Sicca Rupees.

" This Clauſe is propoſed as a Proviſion for any Reduction of the Eſtabliſhment, which may be thought neceſſary during any intermediate Term of the Contract, no ſuch Proviſion being made in the Emendations.

" The Rate propoſed for the Indemnity is founded on the following Computation:

" The Capital Stock of the Contractor is ſtated to be 2,50,000 Rupees, which, divided by 6700, the Number of Bullocks on the actual Eſtabliſhment, is about 37 Ru^{s} 4 A^{s} for each Bullock; on which is propoſed to be allowed, if diſcharged at the Expiration of 4 Years from the Date of the Contract, One Half of the Prime Coſt, being 8 R^{s} Indemnity, allowed for the ſuperfluous Stock on Hand, and the Deprivation of the Profit for One Year, 25 ℔ Cent. on the aſſumed Capital for 1 Year, 25 ℔ Cent. on the aſſumed Capital of — 37 4 — — 9 8

Total Indemnity for One Year — — — — — 17 8

" By the ſame Computation the Indemnity for 2 Years will be 27
3 Years - 36 8
4 Years - 46

" By the propoſed Indemnity, the Contractor will receive for each Bullock, for the ſame reſpective Periods, as follows:

For 1 remaining Year	—	—	13
For 2 remaining Years	—	—	26
For 3 remaining Years	—	—	39
For 4 remaining Years	—	—	52

" And this Mode, being the leaſt intricate, is therefore preferred.

" The Governor General propoſes, that the Securities offered by Mr. Croftes be accepted, and that the Groſs Penalty of the Contract be fixed at 4 Lacks of Sicca Rupees.

(Signed) " W. Haſtings."

Mr. Francis. " The foregoing Papers were returned by Mr. Francis without any Opinion, that Gentleman being too much indiſpoſed to read them.

Mr. Wheler. " Mr. Wheler made the following Remark:—Seen the 1ſt of September.

Mr. Barwell. " Mr. Barwell now delivers his Opinion as follows:—I agree to the Governor General's Propoſitions.

Reſolution in Conſequence. " Reſolved accordingly, That the Alterations propoſed by the Governor General be made in the Contract for ſupplying the Army with Bullocks; that Meſſrs. Johnſon and Petrie be accepted as Mr. Croftes's Securities; and that the Groſs Penalty of the Contract be fixed at Four Lacks of Sicca Rupees.

Mr. Francis's and Mr Wheler's Minute on the propoſed Bullock Contract. " The following Minute from Mr. Francis and Mr. Wheler, having been received by the Secretary on the Evening of the 31ſt ultimo, was circulated the next Day, and is now read, with the Papers accompanying it.

" 31ſt Auguſt 1779.

" Minute from Mr. Francis and Mr. Wheler.

" We have great Reaſon to complain of the uncommon Hurry and Precipitation with which the propoſed Contract, for ſupplying the Army with Draught and Carriage Bullocks for Five Years, has been engroſſed, and brought before the Board to be executed on Thurſday the 26th inſtant.

" Conſidering the very extraordinary Charge which the Company is to incur by this Contract, and the Number of new and intricate Clauſes and Proviſions of which it conſiſts, it was the Secretary's Duty to have prepared a Draft of the Contract, and to have ſubmitted it to the Approbation of the Board, before he gave Directions to the Attorney for having it engroſſed. This neceſſary Form not having been obſerved, we have not a ſufficient Time allowed us to conſider every Article of the Contract with the Attention it deſerves; but this ſhall not prevent our laying before the Board ſuch Remarks as immediately occur to us, in Hopes that they may ſtill be early enough to induce the other Members to weigh the Subject more deliberately, and not to put their Names to an Inſtrument in which, as we think, the Company's Intereſt is entirely ſacrificed, and their Orders flatly diſobeyed. If, nevertheleſs, a Majority of the Board ſhould perſiſt in their Intentions to execute the Contract, we ſhall have done as much as depends upon us at preſent by ſtating our Objections to it, and ſhewing the Conſequences that muſt attend it, ſuppoſing the Contract to take Effect.

" We

" We have already referred to the Company's Inſtructions relative to Contracts in general; but as we find that in the Year 1770 the Court of Directors had entered into a very minute Inquiry concerning the particular Contract for furniſhing Draught and Carriage Bullocks, we beg Leave to annex a Copy of the Orders they gave at that Time, from which we ſhall only quote the following Words in this Place, that the Members of the Board, who have it in Contemplation to give away the Contract for Five Years, may know at the ſame Time that they are ſetting the Company's Authority at Defiance.

" It is our expreſs Order, and we hereby poſitively direct, that you do not fail every Year to ' adverti ſe for, and receive ſuch Propoſals as may be offered for ſupplying the Troops with Pro- ' viſions, and for furniſhing Draught and Carriage Bullocks to be employed with our Army; and ' that you do in all Caſes accept thoſe Propoſals which may appear the moſt reaſonable in Point ' of Charge.' General Letter, 23 March 1790, Paragraph 134.

" The annexed Paper, N° 2, contains a Compariſon of the Expence of the preſent Eſtabliſhment of Bullocks, ſuppoſing it compleat according to the Contract now exiſting, with that which is to be created by the propoſed Contract. By this it appears, that the former is Sicca Rupees 13,786 3 per Month, and the latter Sicca Rupees 58,629, making the enormous Difference or Increaſe of Sicca Rupees 44,842 13 per Month. On this Footing the Bullock Contract will coſt the Company no leſs than Current Rupees 8,16,120 per Annum for Five Years certain, or Current Rupees 40,80,600. And this exceſſive Charge cannot, according to the Terms of the Contract, be reduced a ſingle Rupee during the Five Years, at the ſame Time that Openings are deſignedly left to increaſe it conſiderably.

" We ſolemnly proteſt againſt every Attempt to load the Company with ſuch an immoderate Expence, and particularly againſt the Intention to fix it irrevocably for any Term of Years.

" In the Contract now exiſting, and in all the former Bullock Contracts, a Clauſe has been invariably inſerted, by which the Company, or the Government here, or even the Colonels of the Brigades, had a Power reſerved to them of diſcharging any Number of ſuperfluous or unneceſſary Bullocks, giving One Month's Notice to the Contractor; but no ſuch Clauſe is inſerted in the intended Contract, ſo that the Company muſt at all Events keep up the entire Number of Six thouſand ſeven hundred Bullocks for Five Years, or at leaſt pay for them under every Change of Circumſtances whatſoever, and even though they ſhould find it neceſſary to reduce or new model their Army in the mean Time.

" In the propoſed Contract, no Diſtinction is made between Draught and Carriage Bullocks, or whether within or without the Provinces, every Bullock is to be paid for at the Rate of Sicca Rupees 8 12 per Month, or Sonat Rupees 9 2 3$\frac{1}{2}$, including the Drivers.

" By the preſent Contract, without the Provinces, a Draught Bullock, employed or unemployed, is — — — — — — Son^{t} R^{s} 5 0 0

" Carriage ditto ditto ditto — — — — — — — 3 10 0

" Draught and Carriage unemployed within the Provinces — — Son^{t} R^{s} 2 9 6

—and for this he feeds them, and finds them in Drivers, Pads, Ropes, &c.

" The Difference between the Two Rates is ſo extraordinary, that we imagine no Member of the Board, who gives his Attention to the Subject, will ever conſent to it.

" In the 3d Article of the Propoſals, it is ſtated, that condemned Bullocks ſhall be thrown on the Hands of the Contractor, but without any Penalty, which we think there ought to be, conſidering how much the Service may ſuffer, and that he is allowed Twelve Sicca Rupees per Annum for every Bullock in the Army to make good Loſſes that may happen by the Enemy, Death, Rejection, &c. beſides a Bounty of Ten Sicca Rupees for every extra Bullock found upon Notice given. 3d Article.

" He is to incur a Penalty of Three times the actual Bazar Price of the Grain, if the Bullocks are not victualled agreeable to the Terms of the Contract; this latter Part the Commanding Officer of Brigade, and Commanding Officer of Artillery, may certify on the Bills; but as the Commiſſary General is to be the Check, how is he to know the actual Bazar Price of Grain at the ſeveral Stations. We think it would be much better to have the Penalty fixed at a certain Rate. 4th Article.

" By the 5th Article, the Contractor is to be paid by extra Bills for any Increaſe of Food given to the Bullocks by Order of the Commanding Officer; this we think highly unreaſonable, as the Terms of the Contract are in themſelves already much too liberal, and it is the Intereſt of the Contractor that his Bullocks ſhould be properly fed. 5th Article.

" The Expence of Drivers, Sirdar Drivers, Bridles, Picket Ropes, Pads, &c. was never before charged to the Company. 9th and 10th Articles.

" Loſſes by forced Marches, or over loading, are to be made good to the Contractor; he is allowed a Sicca Rupee per Month for each Bullock, to make good Loſſes by the Enemy, Death, Rejection, &c. Every Bullock that dies will be drawn for on either of thoſe Accounts. It is difficult to aſcertain the Fact; but if the Clauſe is admitted, at what Rate is the Commiſſary General to allow within and without the Provinces for Draught and for Carriage Bullocks, which have died owing to thoſe Two Cauſes? And what Proof or Evidence is he to accept, that the Death of the Bullock was owing to one or other of the above Cauſes? 11th Article.

" Is it meant that the Bullocks loaded with Grain for feeding the other Bullocks, are to be at the Expence of the Company? If not, there was no Occaſion for this Article, as they always have been, and muſt be, allowed to attend the Army. 14th Article.

15th Article. " The Bounty of Ten Sicca Rupees for every extra Bullock found in a certain Time, as expreſſed in this Article, is unneceſſary, at leaſt the Sum propoſed is a great deal too much. By the preſent Contract nothing is allowed for the Purchaſe of Bullocks, unleſs required within a Month's Notice; and if on ſuch Emergency, the uſual Price of Bullocks ſhould be thereby enhanced, he is allowed for any extra Price that may have been actually paid more than Sonᵗ Rˢ 12 8 0 for each Draught Bullock, and 8 Sonᵗ Rupees for each Carriage Bullock; but if he does not pay more than thoſe Prices, he is to be allowed nothing. In the Bounty there is no Diſtinction made between extra Draught and extra Carriage Bullocks; the former ought ſurely to coſt more than the latter, at leaſt there has been always a Difference both in the Price and Charges of feeding hitherto. Conſidering the Time allowed in the 15th Article, no Bounty ſhould be given; the Contractor is ſufficiently rewarded by the Increaſe, without any other Emolument.

16th Article. If the Bills are not preſented by the Contractor's Agent to the Officers, whoſe Duty it is to counterſign them within a certain Number of Days after the Muſter, the Contractor ſhould be liable to a Deduction of 10 per Cent. Many Irregularities are produced from Bills being drawn ſometimes Ten and Twelve Months in Arrears. After the Words, " that the Bills ſhall not lay above " Eight Days in the Commiſſary General's Office," it ſhould be added, " unleſs he has Occaſion " to make Reference to the Officers who have counterſigned the Bills," as this will neceſſarily occaſion ſome Delay.

19th Article. " In order to enable the Contractor to execute this moſt lucrative Contract, he is to have the Value of Three Fourths of his Stock advanced to him out of the publick Treaſuries, when he may require it; and by the following Article we are to provide him with a Piece of Ground for keeping his Cattle. As we know not in what Terms to expreſs our Diſapprobation of theſe extravagant Conditions, we ſhall content ourſelves with ſtating them for the Company's Obſervation.

20th Article. " The Penalty of 50 Sicca Rupees for every Bullock hired from Officers Civil or Military, ſeems to us a nugatory Clauſe, thrown in for no other Purpoſe but to give the Contract an Air of Rigour, which by no Means belongs to it; ſuch a Penalty can never be enforced.

" To conclude;—we ſuggeſt theſe curſory Remarks to the Board, as fatal to the propoſed Contract on its own Principles, and excluſive of the Illegality of granting a Contract on any Conditions for the Term in Queſtion. Many other Objections, we doubt not, would occur to Perſons better verſed in the Subject than we are; but what has been ſaid, we truſt, will be ſufficient to juſtify to the Company, and to the Publick in general, the Part we have taken, or may hereafter take, in reſiſting ſo enormous and unprecedented a Waſte of the Company's Property.

(Signed) " P. Francis.
" Edwᵈ Wheler."

No. I.

" Company's General Letter, 23d March 1770.

Par. 134. " It is our expreſs Orders, and we hereby poſitively direct, that you do not fail every Year to advertiſe for and receive Propoſals as may be offered for ſupplying the Troops with Proviſions, and for furniſhing Draught and Carriage Bullocks to be employed with our Army; and that you do, in all Caſes, accept thoſe Propoſals which may appear the moſt reaſonable in Point of Charge: And you are alſo to take Care that in all your Advertiſements, a ſufficient Time be allowed before the Expiration of the Contract which may then ſubſiſt, or the Time which you may limit for receiving Propoſals for ſuch Contract.

135. " And in order to prevent Abuſes in future, we direct, that the Commanding Officer of our Troops at your Preſidency do require from every ſubordinate Officer in the ſeveral Departments, every Fourteen Days or oftener, a Report of the Number, Size, and Condition of the Draught and Carriage Bullocks, furniſhed for and employed with the Army; and that he do report the ſame to the Preſident and Council monthly or oftener as Occaſion may require; and if the Bullocks ſhould at any Time be deficient, he ſhall fully explain to what Cauſe ſuch Deficiencies may be juſtly attributed, whether to Want of Size, Neglect of Feeding, Miſmanagement, or other Abuſe, or to unavoidable Caſualties or other Circumſtances, ſuch as Length of Time in Service, the Nature of ſuch Service, or otherwiſe; and he is alſo to inform himſelf, and ſignify to our Preſident and Council at the ſame Time, in all Caſes according to the beſt of his Judgement, how Defects of every Kind, relative to Bullocks in the Service, may be remedied. (*a*)

(*a*) Vide ſupra, P. 1341.

No. II.

" COMPARISON between the Expence of the preſent and propoſed Bullock Contracts.

" Propoſed Contract.

	Sonaut Rs.	Sicca Rs.	Current Rs.
4000 Draft, 2700 Carriage } Bullocks, at 5 : 12 — —	—	38,525 —	
A Driver to every Two Bullocks is 3350, at 5 —	—	16,750 —	
A Sirdar Driver to every Six Pair of Bullocks is 550 Sirdar Drivers, at 6 — — — —	—	3,354 —	
Total Monthly Expences of the propoſed Contract	—	58,629 —	

" Preſent Contract Terms, and Number of Bullocks with the Army, ſuppoſing the ſame Number with the temporary as with the 1ſt Brigade in the Field, agreeable to the Eſtabliſhment.

640 Draft Bullocks with the 1ſt Brigade in the Field 640 D° with temporary Brigade			
1280 Draft Bullocks, at 5 — — —	6,400 —		
1125 D° with the Two Brigades at the Preſidency and Burrampore 36 D° with the Light Infantry			
1161 Draft Bullocks, at 3 : 7 — — —	3,990 15		
306 Carriage Bullocks with the 1ſt Brigade 306 D° with the temporary Brigade			
612 Carriage Bullocks, at 3 : 10 — — —	2,218 8		
550 Carriage Bullocks with the Two Brigades at the Preſidency and Burrampore 14 D° with the Light Infantry			
564 Carriage Bullocks, at 3 : 3 — — —	1,797 12		
Total Monthly Expence of the Bullocks for the Army ℔ the preſent Contract, ſuppoſing the Eſtabliſhment compleat — — —	14,407 3	13,786 3	
Difference of Expence betwixt the preſent and propoſed Contract, monthly, Sicca Rupᵃ —	—	44,842 13	
Total Expence of the propoſed Contract per Annum, according to the fixed Eſtabliſhment, and excluſive of all additional Allowances provided for in the ſaid Contract, C. Rs — —	—	—	8,16,120 —
Ditto for Five Years, C. Rs — — —	—	—	40,80,600 —

Read,

Read, alſo, from the ſame Book, the following Extract of the ſame Conſultation:

Governor General's Information.

[" The Governor General informs the Board, that he ſhall deliver a Reply to the Minute of Mr. Francis and Mr. Wheler, above recorded, which he deſires may have a Place in this Conſultation.]

Secretary's Information.

§ (" The Secretary acquaints the Board, that he has prepared an Addreſs on the Subject of that " Part of that * Part of the foregoing Minutes reſpecting himſelf, which he begs Leave to lay " before them; and it is accordingly read as follows:

* Sic in Orig.

LR. N° 309.

" To the Honourable Warren Haſtings Eſquire, Governor General, &c. Members of the Board " of Inſpection.

" Honble. Sir and Sirs,

" It is with much Concern I perceive in the Minute of Mr. Francis and Mr. Wheler, of the " 31ſt Auguſt, a Diſapprobation expreſſed of my Conduct, on the Occaſion of my having brought " before the Board on Thurſday laſt, the propoſed Contract for ſupplying the Army with Draught " and Carriage Cattle, engroſſed and ready for Execution. As ſuch an Opinion ſtanding on the " publick Records, without ſome Explanation of the Circumſtance from me, may imply a Con- " viction of Delinquency, I hope I ſhall be pardoned for troubling the Board with the following " Repreſentation on the Subject. I am ſenſible at the ſame Time, that I am guilty of ſome Irre- " gularity in offering Remarks on the Minutes of any individual Members; but the Occaſion, I " hope, will juſtify the Irregularity, and that I ſhall have their Excuſe for this Addreſs.

" On the 16th of Auguſt I received from the Secretary of the Military Department, the " Emendations for a new Contract for the Draught and Carriage Cattle of the Army, which had " been propoſed by the Commander in Chief, accompanied with an Extract of the Board's Pro- " ceedings in that Department, approving the Plan, and directing that an Offer ſhould be made " to the preſent Contractor of engaging with him on the Terms therein preſcribed, inſtead of the " Contract at that Time in Force. In Conſequence of this Order, I immediately wrote to the " Contractor in the Terms of it, and his Anſwer, accepting the Propoſal, was laid before the " Board on the 19th of laſt Month, and ſtands recorded in that Day's Conſultation. In the ſame " Letter, the Contractor requeſted that the new Contract might be drawn in the Name of Mr. " Charles Croftes, to which the Board agreed;—Mr. Francis diſſenting from the Reſolution. " Inſtructions were of Courſe given to the Company's Attorney to prepare the neceſſary Deeds; " and when they were ready, I peruſed them with the greateſt Attention, compared them with " the Plan which had been reſolved upon, and on the 26th of laſt Month I laid them before the " Board, with a Report, containing ſuch Obſervations as had occurred to me upon them. In " that Report I ſpecified the Variations which had been made from the Plan; the Clauſes tran- " ſlated from the old to the new Contract, which had not been done away or affected by the " Emendations; and I believe the Contract to be drawn in ſtrict Conformity to the Reſolutions " and Intentions of the Board, the Variations above-mentioned excepted. I was aſked by Mr. " Francis, Whether the Clauſe in the former Contract, which empowered the Governor General " and Council, or the Commanding Officer of any Brigade or Detachment, during the Term of " it, to diſcharge whatever Number of Bullocks they might think ſuperfluous or unneceſſary for " the Uſe of the Army, on giving One Month's Notice, in Writing, of ſuch Intention to the " Contractor, or his Agent, was introduced into the new one; or whether the Company were " obliged to keep up the Whole of the propoſed Eſtabliſhment during the Period of Five Years? " I replied that it was not introduced in the new Contract, as that Clauſe had been annulled by " the 15th Article of the Plan, which expreſsly ſtipulates, that 'the Number of 4000 Draught, " and 2700 Carriage Bullocks, being the Eſtabliſhment required, ſhall be kept in Pay during the " Term of the Contract.' Upon this the Governor General deſired that the Conſideration of the " Subject might be deferred, and he would reviſe the propoſed Articles of Agreement; and it " was not the Intention of the Board, as I underſtood, that the Preſentment of them on that Day " ſhould be minuted. I am ſorry, therefore, it ſhould have been thought neceſſary to take Notice " of this Circumſtance. The Governor General's propoſed Alterations were ſent in Circulation " before the Delivery of Mr. Francis's and Mr. Wheler's Minute to me, though both were receiv- " ed the ſame Day.

" If there was any Hurry or Precipitation in drawing the Contract, it was, I preſume, ren- " dered neceſſary by that Clauſe of it, which obliges the Contractor to provide the whole Eſtabliſh- " ment of Bullocks within a certain Time from the Day of its Execution; every Day's Delay pro- " tracted the Operation of the Contract, and the Publick Service might ſuffer from the Suſpen- " ſion. Could I have imagined, however, that there were any new Clauſes or Proviſions, which " had not undergone the Conſideration of the Board, and been finally ſettled previous to the Tranſ- " miſſion of them to me to be communicated to the Contractor, and his Acceptance of them re- " quired; I ſhould moſt certainly have thought it incumbent on me to have ſubmitted a Draft " of the Contract to the Board for their Approbation, before it was engroſſed; but I conceived " that nothing more remained, than for me to receive the Contractor's Anſwer, to give Inſtructions " for drawing the Deeds, and, when drawn, to ſee that they were conformable to the Plan. I " could have no Idea that any Part of it was to be reviſed at this Board. The Board were not

" however

" however precluded, merely becauſe the Contract was copied fair, from making any Alterations " in it they might have thought proper.") (*a*)

(Signed at the End of the Letter)
" J. Baugh."

(And at the End of the Conſultation)
" Warren Haſtings,
" Rich[d] Barwell,
" Edw[d] Wheler."

§

The Managers for the Commons deſired that the Whole of the above Conſultation of the 2d September 1779, might be entered in the Appendix (*b*), for the Purpoſe of ſhewing that the Governor General did not record in it any Reply to Mr. Francis's and Mr. Wheler's Minute above-mentioned: And informed the Houſe they ſhould next examine Mr. Hudſon, to prove, that, as far as he had ſearched the Records of the Company, no ſuch Reply did appear.

Q. Have you found any ſuch Minute of Mr. Haſtings—Have you ſearched the Books for that Purpoſe?

A. I have.

Q. In the Reſult, have you found ſuch a Minute?

A. No, I have not.

Q. (*Croſs-examined.*) Did you find a Letter of Gen[l] Stibbert's?

The Managers for the Commons objected, that the proper Time for the Counſel for the Defendant to introduce the ſame, if it exiſted, would be on the Defence.

The Counſel for the Defendant waived the ſame for the preſent.

Read, the following Extract of a Conſultation of the 16th September 1779, from the ſame Book.

☞ [" Fort William, the 16th September 1779. Thurſday.

" At a Board of Inſpection; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General;
Edward Wheler Eſq.
and
Lieu[t] Gen[l] Sir Eyre Coote K. B.

Meſſrs. Barwell and Francis indiſpoſed.

" On the 9th inſtant the Secretary received the following Minute and accompanying Papers from Mr. Francis, which he immediately circulated to the other Members of the Board. Mr. Francis's Minute on the Two Contracts.

" Board of Inſpection, 9th September 1779.

" Mr. Francis.—In Addition to the Remarks contained in Mr. Wheler's Minute and mine of the 31ſt of Auguſt on the propoſed Bullock Contract, I beg Leave to lay the annexed Papers before the Board, and to requeſt the Attention of the Members to the Calculations contained therein, before any further Steps are taken in this Buſineſs. Calculations of this Nature ought to have accompanied the Plan in the firſt Inſtance, that the Board might know what they were doing, and not be hurried blindly into Engagements, of the Extent, Conſequences, and Expence of, which they could not poſſibly have formed an Idea.

" The annexed Papers (Number 1 and 2,) ſhew the full Amount of all the Draft and Carriage Bullocks neceſſary for the compleat Service of the Three intire Brigades, ſuppoſing them all in the Field; by which it appears, that the Number of Bullocks propoſed to be kept up for Five Years, exceeds what the whole Army on a compleat War Eſtabliſhment would require by 2769. Theſe ſupernumerary Bullocks, therefore, if they are maintained, will have nothing to do; there are not Guns or Carriages for them to draw; there is literally nothing for them to carry. But before this Time, who ever heard of keeping up a compleat War Eſtabliſhment of Bullocks without actual Service in any Part of the Provinces? What are the Bullocks to do at the Preſidency? What are they to do at the different Cantonments? In Truth, I might with great Reaſon aſk (with the Exception of a very moderate Number) what Occaſion have we for an Eſtabliſhment of Bullocks any where? When they are wanted, they may be hired or preſſed, as in Fact they have been hitherto, notwithſtanding the Contracts. But, admitting that ſome Eſtabliſhment ought to be maintained, it will be difficult to aſſign a good Reaſon why it ſhould exceed the Complement neceſſary for the Troops in the Field. Suppoſing a Third of the Army to be maintained on a War Eſtabliſhment, the Number of Draft and Carriage Bullocks, taken together, ought not to exceed

(*a*) Vide Appendix, N° CXCII.

(*b*) Vide Appendix, ibid.

1,310.—On this Principle, which of itſelf would lead us into an exorbitant Expence, the propoſed Contract is to maintain 5,390 Bullocks more than can be wanted, which, for Five Years, at the new Contract Rates, will be found to amount to the enormous Sum of Current Rupees 32,82,510, abſolutely given out of the Company's Treaſury, or ſquandered without any Neceſſity or Service whatſoever.

" N°. 3. contains a Calculation of the Difference of Expence between the propoſed Eſtabliſhment and that which would be neceſſary for the whole Army in the Field calculated at the new Contract Rates; even on this extravagant Principle, the Expence would fall ſhort of the propoſed Contract by near Seventeen Lack of current Rupees in Five Years.

" N°. 4. ſhews what the Expence of a compleat Eſtabliſhment for the whole Army would amount to if calculated at the preſent Contract Rates.—The Difference between this and the propoſed Rates and Numbers, amounts in Five Years to no leſs than C^t R^s 30,48,854, or very near 305,000 l. Sterling.

" If a Majority of the Board, with ſuch glaring Facts before them, can entertain a Thought of proceeding farther in the propoſed Contract, I cannot hope that they will pay the leaſt Regard to any Obſervations I can make upon it.—To acquit myſelf nevertheleſs of the Duty I owe to the Company on this important Occaſion, I think it right to ſtate the following general Conſiderations.—My preſent ill State of Health will not allow me to go ſo deep into the Subject as I ſhould do at another Time.

" Although no Evil is more ſeverely felt, yet there is not apparently any leſs attended to than the Number of Followers of the Army; they conſiſt of a Multitude of predatory Vagrants, and whatever tends to increaſe their Number, tends to embarraſs and impede the Service. Proviſions and Forage are not only rendered conſtantly dearer than they need be, but frequent Scarcity of both are occaſioned by this Rabble, which thereby bring into imminent Danger the Safety and Exiſtence of the Troops.

In this View, the Number of Bullock Drivers propoſed appears to be highly detrimental to the Good of the Service.—It would not be credited in Europe, that Twelve Bullocks ſhould require Seven Keepers—but this is not the Extent of the Evil—Some at leaſt of thoſe Seven carry along with them their Families; thoſe have their Attendants, with Bullocks or Tattoes to carry their Proviſions, and thoſe muſt have Drivers, who alſo muſt have Proviſions.—Thus the Number of Followers encreaſes beyond Calculation. Meaſures tending to reduce their Numbers would be uſeful indeed, and deſerving of the higheſt Applauſe; but what ſhall we ſay of Schemes which manifeſtly tend to increaſe them? What Effect can they have but to increaſe the Confuſion of our Camps, to enhance the Difficulties of procuring Forage and Proviſions, to extend and weaken the Line of March, and in the End to make your Army little better than a Convoy for your Baggage!

" Having not had it in my Power to enter into a particular Conſideration of the new victualling Contract, I take this Opportunity of declaring, that I entirely concur in Mr. Wheler's Remarks upon it. I find it is formed upon the ſame exorbitant Principles with the Bullock Contract, and to be executed by the ſame Perſons;—that is, a Variety of concealed Intereſts are to be provided for under the Name of Mr. Croftes. On this Part of the Subject I muſt obſerve, that the Two Contracts ought not on any Account to be in the ſame Hands. No One Perſon is equal to the Conduct of Two ſuch extenſive Concerns.—In the ſecond Place, I muſt declare that the preſent Contractors, whoever they are, are the moſt improper Perſons that could be choſen for the like Truſt in future. The Contracts never were ſo ill executed as by the preſent Contractors. Their Bullocks have never been ready or fit for Service when called upon, and the Proviſions to the Europeans, particularly the Beef, has been ſuch as muſt have produced a Mortality among them if they had eaten it. The Contractor has never given an Ounce of Mutton to the Europeans in Fort William ſince February laſt; in Conſequence of which they have uſually taken Cowries in lieu of the Carrion Beef with which he would have ſupplied them.

On the Increaſe of the Rates in both Contracts, there is one general Obſervation to be made, which I think muſt ſtrike every Man converſant in publick Buſineſs. In engaging for the Supply of any Article whatſoever, the Contractor proportions his Rate or Price to the Quantity of the Thing demanded. If he ſupplies a little, his Rate or Price muſt be proportionably higher; if he ſupplies a great deal, he can afford to reduce his Terms, ſince the Profit upon the Whole compenſates for the Reduction on the Rate of the ſpecific Articles. In the propoſed Bullock Contract this univerſal Principle is manifeſtly reverſed. The Number of Bullocks, on the Pay of which the Contractor's Profit is to ariſe, is increaſed in nearly the Proportion of Seventeen to Nine, and the Period during which the Contract is to endure is enlarged from One Year to Five. One would expect from this Increaſe of the Period and the Number that the Rates would have been proportionably diminiſhed. On the contrary, however, the Company will find that the rated Pay of each individual Bullock, counting the Draft and Carriage Bullocks together, is double what it was. Upon the Whole, the Terms, voluntarily contrived and given by Government, are ſuch as I preſume no Man living would have preſumed to have demanded, if the Contract had been advertiſed in the Manner preſcribed in the Company's moſt peremptory and repeated Orders.

(Signed) " P. Francis."]

N°. I.

N°. I.

§ (" Proportion of Ordnance for One Brigade, conſiſting of One Regiment of Europeans, 11 " Battalions of Sepoys, and a Detachment of the Corps of Artillery, ſhewing the Number of " Draught Bullocks neceſſary for dragging its Train, and for that of the whole Army.

" 4	12 Pounder Braſs Guns, with Carriage,	10 Bullocks to each	40
" 28	6 Pounder Braſs Guns, with Carriage,	8 Bullocks to each	224
" 4	$5\frac{1}{2}$ Inch Howitzer,	6 Ditto	24
" 29	Tumbrils, Ammunition loaded,	10 Ditto	290
" 1	Ditto Treaſure,	10 Ditto	10
" 2	Carts, Artificers,	10 Ditto	20
" 1	Waggon for Gin,	16 Ditto	16
	" Spare Carriages and Tumbrils.		
" 1	for 12 Pounders,	8 Ditto	8
" 7	for 6 Ditto,	6 Ditto	42
" 1	for $5\frac{1}{2}$ Inch Howitzer,	6 Ditto	6
" 7	Tumbrils,	6 Ditto	42
			722
	" Allow One Spare to every 6 Bullocks		120
" Complement of Draught Bullocks for One Brigade on Service			842 3
" Ditto for Three Brigades			2,526
" 2 Six Pounder Guns " 1 Tumbril	} Independant Chittagong Battalion		30
" 2 6 Pounder Guns " 1 Tumbril	} Battalion of Light Infantry		30
" Total Draught Bullocks neceſſary for the Field Ordnance of the whole Army, ſup- " poſing it in Motion on actual Service			2,586

" According to the Eſtabliſhment of 1777, the Complement of Ordnance for a Brigade on " Service was 26 Pieces; ſince that Period 2 Twelve Pounders and 2 Howitzers have been added, " which, with the 6 Guns of the Three Battalions of the temporary Brigade that are to be in- " corporated into each of the other Brigades, makes the preſent Proportion 36 Pieces.

N°. II.

" Calculate of Carriage Bullocks, neceſſary for carrying the Muſquet Ammunition and " Military Stores attached to a Brigade on Service, ſuppoſing it to be of the Strength ſpecified in " N°. 1. ſhewing the Number neceſſary for the whole Army, ſuppoſing it to be in Station.

" 196 Carriage Bullocks will carry 392 Barrels of Muſquet Ball Ammunition, each
" Barrel containing 800 Rounds to * — — — 3,13,600 * Sic in Orig.
" Suppoſing a Brigade to conſiſt of 9,580 Men, and that 8,500 of them are fit
" for Service, they will carry in their Pouches, at 24 Rounds ℔ Man, 1,70,000

" Total Muſquet Cartridges for a Brigade on Service — 4,83,600

" 50 Carriage Bullocks will carry 100 Sixty lb. Barrels of Powder, being the uſual Proportion for the Service

" 130 Carriage Bullocks (with 20 Haccaries, which are not provided by the Contractor) it is
" believed are ſufficient for the Carriage of the other Stores in the Magazine. N. B.
" Excluſive of the above Haccaries, the Captains of Battalions and Quarter Maſters
" are allowed 18, and the Surgeon Majors 10 Haccaries.

" 376
" 63 Spare Bullocks in the Proportion of One to Six.

" 439 Total Number of Carriage Bullocks neceſſary to be provided by the Contractor for One Brigade on Service.
" 879 Add for Two other Brigades on Service.

" 1317 Total Carriage Bullocks for Three Brigades.
" 14 Allow for the Chittagong Independant Battalion.
" 14 Allow for the Battalion of Light Infantry.

" 1345 Grand Total Carriage Bullocks.

N°. III.

N°. III.

" Calculate of the extra Expence that would be incurred by Exceſs in the Number of Bul-
" locks and Drivers, ſuppoſing no Exceſs in the Rates propoſed.

		S. R^s.	Sonᵗ. R^s.		
" 4000 Draught }	Bullocks, at	8 12	or 9 2	3 $\frac{75}{11}$, including Drivers Wages,	S^a. R^s.
" 2700 Carriage }	as propoſed, ℔ Month	—	—	—	58,629 0
6700					
" 2586 Draught }	Bullocks neceſſary for the Train of the whole Army, at				
" 1345 Carriage }	the above Rate ℔ Month	—	—		34,401 4
" 3931				Monthly Difference Sicca R^s.	24,227 12
				" Annual Difference	2,90,733 0

" Difference that would be occaſioned in Five Years by mere Exceſs of Bullocks, at the Rates
" propoſed, S^a. R^s. 14,53,665, or C. R^s. 16,86,251 6 5.

N°. IV.

" Compariſon between the Expence of the propoſed Contract, and the neceſſary Number
" of Bullocks for the Army at the preſent Contract Rates; ſuppoſing Half the Troops to be
" without, and the other Half within the Provinces, and the Whole on actual Service.

" Propoſed Contract Eſtabliſhment, as before ſtated per Month S^a. R^s. 58,629 0 0

" Preſent Eſtabliſhment.

" 1293 Draft Bullocks without the Provinces, at 5 R^s.				6,465 0
" 673 Carriage D°. D°. at 3 10	—	—		2,439 10
" 1293 Draft } at 3 7	—	—		4,444 11
" 672 Carriage } within the Provinces, at 3 3	—	—	—	2,142 0
			Sonaut Rupees	15,491 5 or 14,823 10 0.
			" Monthly Difference,	S^a. R^s. 43,805 6 0
			" Annual Difference,	5,25,664 8 0

" Difference in Five Years, S^a. R^s. 26,28,322 8, or C. R^s 30,48,854 1 7

" Proof of the Difference.

" Annual Expence of the propoſed Contract, S^a. R^s. 7,03,548, or
" C. R^s. 8,16,115 10 11, which for Five Years is — C. R^s. 40,80,578 6 7
" Annual Expence of the preſent Eſtabliſhment, according to the preſent
" Contract Rates, S^a. R^s. 1,77,883 8, or C. R^s. 2,06,344,13 9$\frac{3}{5}$, which
" for Five Years is — — — — — 10,31,724 5 0

" Difference as above, Curᵗ. R^s. 30,48,854 1 7") §

☞ Mr. Wheler's Minute on the Bullock Contract.

[" Mr. Wheler delivered the following Minute in Addition to the foregoing in Circulation from Mr. Francis.

September 14th, 1779.

" Mr. Wheler.—In Addition to Mr. Francis's Account, I beg leave to preſent the accompanying Calculate (N°. 5.) in order to demonſtrate, that even upon the extravagant Suppoſition of the Neceſſity of keeping up a conſtant Eſtabliſhment of 6,700 Bullocks, an Exceſs of Expence will ariſe in Five Years, from the exorbitant Increaſe of the Contract Rates, of no leſs than Current Rupees 23,44,191 8 5, being above Two hundred and thirty-four thouſand Pounds Sterling; and having eſtabliſhed this Fact, which, with what Mr. Francis had ſaid, ſufficiently expoſes the Complexion of this Tranſaction, and cuts off every poſſible Plea of Juſtification, I have at preſent only to add, that I join Mr. Francis in reprobating the projected Contract, as a Meaſure big with the moſt ruinous Conſequences to the Company.

N°. V.

N°. V.

" CALCULATE of Surplus Expence that would ariſe from the Increaſe of Rates, ſuppoſing the whole Number of Draught and Carriage Bullocks, ſpecified in the propoſed Contract, to be neceſſary, and One Half of that Number to be without, and the other Half within the Provinces.

	St Rs A.	Sa Rs A. P.	Curt Rs
4000 Draught } Bullocks, being the 2700 Carriage } propoſed Contract Eſtabliſhment, as ſpecified in N° III. — — —	—	58,629 - -	—
2000 Draught Bullocks of the Provinces, at the preſent Contract Rate, 5 Sonaut Rupees each	10,000 -	—	—
2000 D° within the Provinces, at the preſent Contract Rate, at 3 7 each — — —	6,875 -	—	—
4000 Total Draught Bullocks propoſed ℔ Month, at the preſent Contract Rates — — —	16,875 -	—	—
1350 Carriage Bullocks without the Provinces, at the preſent Contract Rate, 3 10 each —	4,893 12	—	—
1350 D° within the Provinces, at the preſent Contract Rate, at 3 3 each — — —	4,303 2	—	—
2700 Total Carriage Bullocks propoſed at the preſent Contract Rates ℔ Month — —	9,196 14	—	—
Monthly Expence of the propoſed Contract Eſtabliſhment of Draught and Carriage Bullocks, at the preſent Contract Rates — — —	26,071 14 or	24,948 1 $4\frac{88}{116}$	
Monthly Difference between the propoſed and preſent Contract Rates — — —	—	33,680 14 $7\frac{28}{116}$	
Yearly Difference — — —	—	4,04,170 15 $2\frac{104}{116}$	
Total extraordinary Expence that would be occaſioned in Five Years, by the mere Increaſe of Rates, ſuppoſing no Exceſs in the Number of Bullocks propoſed — — —	—	20,20,854 12 2	or 23,44,191 8 5

(Signed at the End of the Conſultation)

" Warren Haſtings,
" Edwd Wheler." (a)

(a) Vide Appendix, N° CXCIII.

Read, alſo, a further Extract from the ſame Book and ſame Conſultation, as follows:

Contract of Mr. Croftes for providing and feeding Draft and Carriage Bullocks and Camels for the Uſe of the Army.

" Articles of Agreement, indented, had, made, concluded, and fully agreed upon, this Firſt Day of September, in the Year of our Lord Chriſt One thouſand ſeven hundred and ſeventy-nine, between the United Company of Merchants of England trading to the Eaſt Indies, of the One Part, and Charles Croftes of Calcutta, in the Province of Bengal, Gentleman, of the other Part, in Manner and Form following; (that is to ſay,)

" Whereas the ſaid Charles Croftes hath propoſed to and agreed with the Governor General and Council of the Preſidency of Fort William, acting for and on the Part and Behalf of the ſaid United Company, to furniſh and provide for the Uſe of the Army and Troops in the Service of the ſaid United Company, on the Bengal Eſtabliſhment, ſuch certain Number of Draught and Carriage Bullocks as herein-after is mentioned, and ſuch a Number of Camels as ſhall or may be wanted for the Service of the ſame Army, during the Space of Five Years, commencing from the Day of the Date of theſe Preſents; and alſo for the Feeding and Keeping ſuch Bullocks and Camels in fit and good Order and Condition to perform ſuch Work as they ſhall reſpectively happen to be wanted for, during ſuch Space of Time as aforeſaid, as well within the Provinces of Bengal, Bahar, and Oriſſa, as in all other Parts and Places without the ſame Provinces, wherever ſuch Army or Troops ſhall happen to be and require the ſame; as alſo to find Drivers and Attendants for the ſame Draught and Carriage Bullocks and Camels, and all ſuch neceſſary Harneſs and Accoutrements as ſhall or may be wanted for the ſame, and as herein-after is particularly mentioned, he the ſaid Charles Croftes being paid by the ſaid United Company, their Succeſſors, and Aſſigns, on the ſame ſeveral Occaſions, the ſeveral Sums of Money herein-after for that Purpoſe expreſſed, at ſuch Times, and in ſuch Manner, and ſubject to ſuch Terms and Conditions as herein-after are particularly mentioned and ſet forth. Now theſe Preſents witneſs, That he the ſaid Charles Croftes, for the Conſiderations aforeſaid, and for and in Conſideration of the ſeveral Sums of Money ſo agreed to be paid to him by the ſaid United Company as herein-after is mentioned, and of other the Covenants, Conditions, Articles, and Agreements, on the Part and Behalf of the ſaid United Company, to be obſerved, performed, fulfilled, and kept, doth for himſelf, his Heirs, Executors, Adminiſtrators, and Aſſigns, covenant, promiſe, and agree, to and with the ſaid United Company, their Succeſſors and Aſſigns, that he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will, at his and their own proper Coſts and Charges, from the Day of the Date of theſe Preſents, for and during the full End and Term of Five Years now next enſuing, well and truly find, provide, and ſupply to and for the Uſe of ſuch the Army aforeſaid, in Manner herein-after mentioned, Four thouſand Draught Bullocks, and Two thouſand and ſeven hundred Carriage Bullocks, of ſuch reſpective Standards, Size, and Age as herein-after is mentioned; (that is to ſay), That every Bullock ſo to be provided, either for Draught or Carriage, ſhall be at leaſt Twelve Hands and a Half, or Fifty Inches in Heighth, above the Age of Four Years, and under the Age of Six Years, and to be continued in the Service until the Age of Twelve Years, and no longer; and alſo ſhall and will find and provide to and for the Uſe of ſuch the Troops and Army aforeſaid, all ſuch and ſo many Camels as they the ſaid United Company ſhall want or ſtand in Need of during the Term of Five Years aforeſaid, in Addition to the Number of Camels which the ſaid United Company are now already poſſeſſed of: And the ſaid Charles Croftes, for himſelf, his Heirs, Executors, Adminiſtrators, and Aſſigns, doth further covenant, promiſe, and agree to and with the ſaid United Company, their Succeſſors and Aſſigns, that every Carriage Bullock, ſo to be provided by him in purſuance of his Covenant herein-before for that Purpoſe contained, ſhall be of ſufficient Strength, Power, and Ability to carry on his Back a Burthen of One hundred and ſixty Pounds Weight, excluſive of his Pad; and that the Draught Bullocks ſo to be provided in Manner aforeſaid, ſhall be of ſuch Strength and capable of ſuch Work as herein-after is mentioned; (that is to ſay), that Twenty-four of ſuch Bullocks ſhall be able to draw and accompany the ſaid Army on common * Merches with a Twenty-four Pounder Gun, Eighteen Bullocks with an Eighteen Pounder Gun, Twelve Bullocks with a Twelve Pounder Gun, Six Bullocks with a Six Pounder, Four Bullocks with a Three Pounder, Fourteen Bullocks with an Eight Inch Howitzer, Ten Bullocks with a Five and Half Inch Howitzer, Six Bullocks with a Four Inch and Two Fifths of an Inch Howitzer, Fourteen Bullocks with the common Army Waggon, and Ten Bullocks with a Tumbrill: And alſo that the ſaid Four thouſand Draught Bullocks, and the Two thouſand and ſeven hundred Carriage Bullocks, ſo to be ſupplied and provided, ſhall within the Term of Six Months from the Date of theſe Preſents, be all and every of them ready and provided, and at Hand, at ſuch reſpective Places as the Train Bullocks are now ſtationed, or at ſuch other Parts and Places as the Commander in Chief of ſuch Army, for the Time being, ſhall direct and appoint by Notice in Writing for that Purpoſe to be given; and all and every ſuch Bullocks, when and as often as the ſame ſhall be offered and tendered for Service by the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, at all Times within the ſaid Space of Six Months, ſo limited for the providing the ſame, ſhall immediately be received and muſtered, and examined whether fit and able for Service, and of the Standard Size and Age herein-before for thoſe Purpoſes particularly mentioned and expreſſed, in order that Payment may be made to the

* Sic in Orig.

ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, for all ſuch Bullocks reſpectively, from the Day of their being ſo muſtered and received into the Service, and ſhall then and there be muſtered and examined whether fit and able for Service, and of the Standard Size and Age herein-before for thoſe Purpoſes particularly mentioned. And the ſaid Charles Croftes, for himſelf, his Heirs, Executors, and Adminiſtrators, doth further promiſe and agree with the ſaid United Company, that in caſe of any Failure or Default made by the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, in the providing and ſupplying and having ready the ſaid reſpective Number of Four thouſand Draught and Two thouſand and ſeven hundred Carriage Bullocks, at the reſpective Places and Stations, and within the Term above ſtipulated and allowed for the providing the ſame, that then, and in that Caſe, he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will well and truly pay, or cauſe to be paid, to the ſaid United Company, the Sum of Sicca Rupees Ten, by Way of Forfeiture, for every Bullock (whether Carriage or Draught) which ſhall be ſo wanting and deficient out of the ſame ſeveral and reſpective Complements of Four thouſand Draught and Two thouſand and ſeven hundred Carriage Bullocks, to be provided and ſupplied as aforeſaid. And it is hereby declared, covenanted, and agreed, by and between the ſaid Parties to theſe Preſents, that the Commanding Officers of Artillery, and the Commanding Officers of Trains, for the Time being, under the Commanders of the reſpective Brigades of the Army of the ſaid United Company, ſhall be and are hereby conſtituted and appointed General Inſpectors and Examiners of the ſame Bullocks, and of each and every of them, with full Power and Authority for them the ſaid Officers reſpectively, under whoſe reſpective Charge the ſaid Bullocks ſhall be placed, to inſpect and examine the ſame Bullocks, and afterwards to report to the Commanding Officers of the reſpective Brigades, for the Time being, the full Particulars of the ſame Bullocks and every of them, as to their and each of their Fitneſs and apparent Ability to perform the reſpective Services for which they were provided; and in caſe the ſaid Inſpectors, or any or either of them, ſhall report to ſuch Commanding Officers or Officer as aforeſaid, that ſuch Bullocks ſo provided, or any or either of them, are or is unfit or incapable of the Service for which they the ſame Bullocks or Bullock have or hath been reſpectively deſigned and provided, that then and in that Caſe the ſame Bullocks or Bullock ſo objected to, ſhall be examined by Three other Perſons; that is to ſay, by One Perſon to be appointed on the Part of the Commander in Chief, One on Behalf of the Commanding Officer of the Train, and One on the Part of the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, which Perſons ſo appointed ſhall have full Power and Authority, and are hereby declared to have full Power, Licence, Liberty, and Authority to try and examine all and every ſuch Bullocks and Bullock objected to, and either to deem fit and approve, or to reject the ſame, as they, or any Two of them, ſhall ſee proper; and in caſe the ſame Bullocks, or any or either of them, ſhall be ſo rejected, then the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall, within the Space of Twenty Days after ſuch Bullocks or Bullock ſhall have been ſo rejected and diſmiſſed, find and provide, in the Lieu and Stead thereof, a like Number of fit and proper Bullocks, ſo as always to make up and complete the Numbers expreſſed in the Covenant of the ſaid Charles Croftes herein-before for that Purpoſe contained; and the ſaid Charles Croftes doth hereby further promiſe and agree with the ſaid United Company, that in caſe any or either of ſuch Bullocks ſhall be ſo rejected, to provide and find other fit and proper Bullocks in the Place or Stead of all ſuch as ſhall or may be ſo rejected, within the reſpective Times herein-after for that Purpoſe mentioned, and according to the Number which may be wanted on ſuch Occaſion, under and ſubject to the Payment of the ſeveral Penalties herein-after for that Purpoſe expreſſed and agreed upon in Default of the ſame Bullocks, or any or either of them, being ſo found and provided; (that is to ſay), that he the ſaid Charles Croftes, his Executors, Adminiſtrators or Aſſigns, ſhall and will find and provide any Number of Bullocks, not exceeding Twelve, in the Space of Six Hours from the Time of ſuch Rejection of any unfit and improper Bullocks; or ſhall and will find and provide Twenty-four Bullocks within the Space of Twelve Hours; and ſhall and will find and provide any Number of Bullocks, not exceeding Forty, in the Space of Two Days from the Time of ſuch Rejection as aforeſaid, Sixty Bullocks in Four Days, One hundred Bullocks in the Space of Six Days, and Two hundred Bullocks in the Space of Eight Days: And in caſe of any Failure or Default to be made by the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, on the finding and providing other fit and proper Bullocks in the Place and Stead of all and every ſuch Bullock which may be ſo rejected as aforeſaid, he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſignse ſhall and will well and truly pay to the ſaid United Company, their Succeſſors or Aſſigns, a Penalty or Forfeiture of Sixteen Sicca Rupees, for each and every Bullock which ſhall be wanting and deficient to complete and make up the Number of Bullocks ſo to be required in the Place and Stead of thoſe to be rejected, in Manner afore-mentioned: And it is hereby further covenanted and agreed, by and between the ſaid Parties to theſe Preſents, that all ſuch Bullocks, when and as ſoon as the ſame ſhall have been provided and approved as herein-before is mentioned, ſhall be marked in the Preſence of ſome Officer of the Artillery, whom the Commanding Officer for the Time being may think proper to appoint for that Purpoſe, with the Mark of the ſaid United Company, and alſo with a Letter or further Mark, to denote the Year in which ſuch Bullock ſhall have been received, together with ſome further Mark or Figure to denote his Age. And the ſaid Charles Croftes doth for himſelf, his Executors, Adminiſtrators, and Aſſigns, covenant, promiſe, and

and agree, to and with the ſaid United Company, their Succeſſors and Aſſigns, that he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, having ſo found and provided the ſaid reſpective Numbers of Four thouſand Draught and Two thouſand and ſeven hundred Carriage Bullocks as aforeſaid, ſhall and will well, at his and their own proper Coſts and Charges, feed, maintain, ſupport, and keep the ſame Bullocks in good Health, and at all Times fit for the Uſe and Service of the ſaid Army, during the ſaid Space or Term of Five Years; and ſhall and will find and provide for and allow to each and every ſuch Bullock, Food and Provender of the beſt Sorts, Kinds, and Qualities, which can be had or procured, and in the reſpective Quantities following; (that is to ſay), to each Bullock Three Seers of the Gram for each Day, when the Army ſhall not be on a March, together with a proper Quantity of Fodder, and when the Army ſhall be on March, the Quantity of Four Seers of Gram, and on halting Days Three Seers of Gram, and Five Seers of Straw or Graſs: And the ſaid Charles Croftes for himſelf, his Heirs, Executors, Adminiſtrators, and Aſſigns, doth further promiſe and agree, that in caſe the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall at any Time, during the Continuance of theſe Preſents, neglect to ſupply and allow to each and every Bullock ſuch reſpective Quantities and Allowances of Food and Provender as aforeſaid, that then the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will, for every ſuch Neglect or Omiſſion, well and truly pay to the ſaid United Company, their Succeſſors or Aſſigns, a Sum of Money equal to Three times the Bazar or Market Price of every Seer of Gram which ſhall have been deficient or wanting to complete the full Allowance which ought to have been given to each reſpective Bullock as above-mentioned. And in caſe the Officer, for the Time being, holding the Command of the ſaid Army of the ſaid United Company, or of any Detachment or Part thereof, with which ſuch Bullocks or any of them ſhall be on Service, ſhall deem it expedient to order that an Increaſe of Food ſhall be allowed to the Bullocks on ſuch Service, then the ſaid Charles Croftes doth for himſelf, his Heirs, Executors, Adminiſtrators, and Aſſigns, covenant, promiſe, and agree, to and with the ſaid United Company, their Succeſſors and Aſſigns, that he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will, on the Receipt of ſuch Orders or Notice in Writing for that Purpoſe delivered to him, his Executors, Adminiſtrators, or Aſſigns, or to any Deputy or Agent of the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, attendant on the ſame Buſineſs, well and truly provide for, and give and allow to, ſuch Bullocks, all and every ſuch further and additional Quantity of Food and Provender, as ſuch Commanding Officer ſhall think proper to direct and order for the ſame; which Order, ſo to be delivered as aforeſaid, ſhall ſpecify the additional Quantity of Food ſo to be provided, and ſhall be uſed and received by the ſaid United Company, and their Agents, Succeſſors, and Aſſigns, as a good and ſufficient Voucher on the Part of the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, for his or their drawing for the additional or extra Supply of Food, to be paid for by the ſaid United Company, at the Rates herein-after mentioned: And the ſaid Charles Croftes, for himſelf, his Heirs, Executors, Adminiſtrators, and Aſſigns, doth further covenant, promiſe, and agree, to and with the ſaid United Company, their Succeſſors and Aſſigns, that he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will furniſh and keep a Driver or Keeper to every Pair of Bullocks, whether Draught or Carriage, for the Purpoſe of attending and keeping, and loading or unloading the ſame Bullocks, together with One other Perſon, as a Sirdar or Head Man, to every Six Drivers or Keepers, to oblige the ſame Drivers or Keepers reſpectively to a due Diſcharge of their Labour and Duty; which ſaid Drivers and Keepers, and their Sirdars or Head Men, ſo to be employed as aforeſaid, ſhall be muſtered with the Bullocks, when and as often as the ſame Bullocks ſhall be muſtered, and a Return be made of ſuch Drivers or Keepers, and Sirdars, in like Manner as ſhall be made of the Bullocks, each of which Drivers or Keepers ſhall be found and ſupplied by the ſaid Charles Croftes, his Executors, Adminiſtrators or Aſſigns, once in every Three Months during the Continuance of theſe Preſents, with a Pair of Shoes, a blue Turban, and blue Commerband, together with a driving Staff and Six Cubits of Rope, the ſame Articles of Dreſs and Accoutrements to be equal and agreeable to a Muſter or Pattern for the ſame, to be approved by the commanding Officer of the Artillery for the Time being, where the ſame Bullocks ſhall be uſed: And the ſaid Charles Croftes, for himſelf, his Heirs, Executors, Adminiſtrators, and Aſſigns, doth further promiſe and agree, to and with the ſaid United Company, their Succeſſors and Aſſigns, that he the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, ſhall and will, during the Continuance of theſe Preſents, well and truly pay, or cauſe to be paid, to each and every of the Sirdars and Head Men aforeſaid, the monthly Wages or Sum of Six Sicca Rupees, and to each Driver or Keeper Five Sicca Rupees, in Manner following; (that is to ſay) Four Sicca Rupees, Part of the ſaid Five Sicca Rupees, ſo to be paid to each Driver, ſhall be paid to ſuch Driver on the Field, in the Preſence of any ſuch Officer or Perſon as the Commanding Officer of Artillery, or the Officer of the Trains, ſhall think proper to appoint to ſee to ſuch Payments, and the remaining One Rupee to be kept by the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, to enable him or them to purchaſe and ſupply each Driver, once in every Three Months, with one of each of the above Articles of Dreſs and Accoutrements; and alſo that he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will find or provide for all and every ſuch Draught Bullocks, when ready for Muſter a the Times and Places herein-before covenanted and agreed on, good and ſufficient Bridles and Picket Ropes,

Ropes, and for the Carriage Bullocks a Pad Bridle and Picket Rope for each and every of them, agreeable to a certain Muſter or Pattern for the ſame, which ſhall be approved of by the commanding Officer of Artillery for the Time being: And the ſaid Charles Croftes doth hereby, for himſelf, his Heirs, Executors, Adminiſtrators, and Aſſigns, further covenant, promiſe, and agree to and with the ſaid United Company, their Succeſſors and Aſſigns, that he the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, ſhall and will, during ſuch Term of Five Years as aforeſaid, well and truly find and provide for all and every the Camels now kept, or to be hereafter kept, during the Continuance of theſe Preſents, by the ſaid United Company, or their Military Eſtabliſhment within the Provinces of Bengal, Behar, or Oriſſa, or without the ſaid Provinces, * whenever the ſaid Army, or any Detachment therefrom, may chance to be, with good, ſufficient, and proper Food and Provender, and alſo with a proper Number of Servants to attend upon, and to take due Care of ſuch Camels, and all and every of them, ſo that no further Expence ſhall ariſe or accrue to the ſaid United Company, their Succeſſors or Aſſigns, on Account of the keeping and providing with Food ſuch Camels, than what is agreed by the ſaid United Company to be paid for the ſame, as herein-after is mentioned: And alſo, that he the ſaid Charles Croftes, his Executors, Adminiſtrators and Aſſigns, ſhall and will well and truly ſuſtain, bear, and pay all Loſſes, Damages and Expences whatſoever, which ſhall or may accrue or happen during the Continuance of theſe Preſents, as well to the ſaid Bullocks as to the ſaid Camels, which ſhall be the Property of the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, whether the ſame ſhall happen and ariſe from the Attack of Enemies, or from the Death of any or either of the ſaid Bullocks or Camels, or from any other Cauſe whatever, ſave and except as herein-after is excepted, ſo that the ſaid United Company ſhall not ſuffer, ſuſtain, or be put to any other Charge or Expence whatever for the feeding of Camels, and the ſupplying and feeding of Bullocks for the Uſe of their Army in Manner afore-mentioned, other than the ſeveral Sums of Money herein-after agreed to be paid by them to the ſaid Charles Croftes for the ſame: Provided always, that in caſe any Loſſes or Loſs of the ſaid Bullocks, or any or either of them, ſhall happen by Death, occaſioned from forced and extraordinary Marches (ſuch forced March to be conſidered and taken to be any One March exceeding Eight Coſs in the Space of Twenty-four Hours), or by the overloading the ſame Bullocks, or any of them, or the compelling them, or any or either of them, to carry, at any one Time, any Weight or Burthen exceeding One hundred and ſixty Pounds; then the ſame Bullocks or Bullock, which may happen to be killed by ſuch Means, ſhall be replaced at the proper Coſts and Charges of the ſaid United Company, their Succeſſors or Aſſigns: And the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will, on Notice in Writing given to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, requiring the ſame, well and truly find and provide other fit and proper Bullocks in the Place or Stead of all ſuch as ſhall or may happen to be killed, or which may at any Time be ſtolen or taken away by the Enemy, within the reſpective Times herein-after for that Purpoſe mentioned, and according to the Number which may be wanted on any ſuch Occaſions, under and ſubject to the Payment of the ſeveral Penalties herein-after for that Purpoſe expreſſed and agreed upon, in Default of the ſame Bullocks, or any or either of them, being ſo found or provided; that is to ſay, That he the ſaid Charles Croftes ſhall and will find and provide any Number of Bullocks, not exceeding Twelve, in the Space of Six Hours from the Time of ſuch Notice being delivered to him the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, or his or their certain Deputy, and ſhall and will find and provide Twenty-four Bullocks within the Space of Twelve Hours; and ſhall and will find and provide any Number of Bullocks, within Forty, in the Space of Two Days from the Time of the Delivery of ſuch Notice, Sixty Bullocks in Four Days, One hundred Bullocks in the Space of Six Days, and Two hundred Bullocks in the Space of Eight Days: And in caſe of any Failure or Default to be made by the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, in the finding and providing other fit and proper Bullocks in the Place or Stead of all ſuch as ſhall or may be killed, ſtolen, or taken away, and on ſuch Requiſitions as aforeſaid, he the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, ſhall and will well and truly pay, or cauſe to be paid, to the ſaid United Company, their Succeſſors or Aſſigns, a Penalty or Forfeiture of Sixteen Rupees for each and every Bullock which ſhall be wanting and deficient to complete and make up the Number of Bullocks ſo to be required in Manner aforementioned. And alſo, that he the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, ſhall and will, during the Continuance of theſe Preſents, furniſh and provide, and keep in good and ſufficient Repair, Six Breaking-in Carriages to each reſpective Brigade of the Troops of the ſaid United Company, for the Purpoſe of training and maintaining in due Exerciſe, Order, and Readineſs for Service, the Draught and Carriage Bullocks, ſo to be provided as aforeſaid. And alſo, that he the ſaid Charles Croftes, his Executors or Adminiſtrators, ſhall not, nor will at any Time during the Continuance of theſe Preſents, for the Purpoſe of fulfilling the Conditions or Agreements in theſe Preſents contained, or any or either of them, either directly or indirectly, hire from or employ any Bullocks or Camels whatſoever, which ſhall or may be the Property of, or belonging to, any Officer Civil or Military, in the Service of the ſaid United Company; and that in caſe any Bullocks or Bullock, Camels or Camel, belonging to any ſuch Officer, ſhall be ſo hired or employed, then that he the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, ſhall, on Proof thereof before the ſaid Governor General and Council, well and truly pay, or cauſe to

* Sic in Orig.

be paid, to the ſaid United Company, for every Bullock or Camel ſo employed, a Penalty or Sum of Fifty Sicca Rupees: And alſo that he the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, for the Purpoſe of properly fulfilling this Contract, and the ſeveral Conditions and Agreements herein contained, ſhall and will, at his and their own proper Coſts and Charges, at all Times during the Continuance of theſe Preſents, keep a capable and ſufficient Deputy with every Detachment of the Troops of the ſaid United Company, to anſwer the Demands, and obey the Directions and Orders of the Commanding Officer of ſuch Detachments reſpectively, and to perform the Covenants and Conditions herein-before contained, on the Part and Behalf of the ſaid Charles Croftes to be done and performed; which Deputy and Deputies are reſpectively to be firſt approved by the Governor General, for the Time being, of the ſaid Preſidency, and every ſuch Deputy ſhall, before entering on the Service and Duty aforeſaid, give ſuch reaſonable Security as ſhall be required by the ſaid Governor General, not to engage in any other Trade or Buſineſs whatſoever than that of the ſaid Charles Croftes reſpecting the Matters herein-before contained. And the ſaid United Company, for the Conſiderations aforeſaid, for themſelves, their Succeſſors and Aſſigns, do hereby covenant, promiſe, and agree, to and with the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, that they the ſaid United Company, their Succeſſors and Aſſigns, ſhall and will, for and during the ſaid Space or Term of Five Years from the Day of the Date of theſe Preſents, well and truly pay, or cauſe to be paid, unto the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, for the ſaid ſeveral Number or Complements of Four thouſand Draught and Two thouſand and ſeven hundred Carriage Bullocks, the Drivers and Sirdars to keep and attend the ſame, and for the Care, Management, and Feeding of the ſaid Bullocks, and for the furniſhing and providing the ſame with Pads, Picket, and Ropes as aforementioned, at and after the ſeveral Rates and Prices herein-after mentioned and ſet forth; that is to ſay, For every Sirdar or Head Man at and after the Rate of Six Sicca Rupees for each and every Month of the Term aforeſaid, and for every common Driver muſtered with the Dreſs and Accoutrements as herein-before more particularly deſcribed, at and after the Rate of Five Sicca Rupees for each and every Calendar Month of the Term aforeſaid; for an Allowance of Three Seer of Gram ℔ *Diem to each Bullock, whether Draught or Carriage, making the Amount of Two Maunds and Ten Seers for every Bullock* ℔ *Month*, at and after the Rate or Price of One Rupee for every Twenty-four Seer, making an Allowance for each Bullock ℔ Menſem of Sicca Rupees Three and Twelve Annas; and for every Seer of Gram which ſhall be ordered and given on marching Days, beyond the uſual Allowance of Food, by Order of the Commanding Officer as herein-before ſet forth, at and after the ſame Rate of One Sicca Rupees * for every Twenty-four Seer; and for Picket Ropes and † Picket Ropes and Pads, ſo to be provided to all and every ſuch Draught and Carriage Bullocks in Manner aforementioned, at and after the Rate of One Sicca Rupee ℔ Month for each reſpective Bullock, whether Draught or Carriage, during the Term aforeſaid: And as a Compenſation for the Uſe and Hire, and of the ſame Bullocks, and for all Damages which the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and may be liable and ſubject to from the Death of the ſaid Bullocks, otherwiſe than from any forced Marches or overloading as aforeſaid, at and after the Rate of One Sicca Rupee ℔ Month, making together in the Whole an Allowance of Five Sicca Rupees and Twelve Annas, to be paid for every Bullock ſo to be employed as herein-before mentioned, excluſive of the Wages allowed to the Drivers and Sirdars as above-mentioned: And alſo ſhall and will repay to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, all ſuch Coſts and Charges whatſoever as ſhall or may accrue from the Death of any Bullock killed or dying either from overloading or from any forced Marches as herein-before mentioned; and alſo ſhall and will well and truly pay, or cauſe to be paid, to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, for his Care and Management, and for the keeping and providing with Servants, as herein-before is mentioned, the Camels to be employed in the Service of the Army of the ſaid United Company, wherever the Army or Troops of the ſaid United Company may be during ſuch Time as aforeſaid, the ſeveral Sums of Money following; that is to ſay, for all and every the Camel and Camels which ſhall be the Property of, and belonging to, the ſaid United Company, the Sum of Sonaut Rupees Sixteen ℔ Menſem; and for each and every ſuch Camel and Camels which ſhall or may be the Property of, and belonging to, him the ſaid Charles Croftes, his Executors or Adminiſtrators, and which ſhall or may at any Time, during ſuch Space of Years aforeſaid, be employed by the ſaid United Company for the Service of the Army or Troops aforeſaid, the Sum of Sonaut Rupees Thirty ℔ Menſem: And the ſaid United Company do alſo covenant, promiſe, and agree to pay to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, yearly, the Sum of Sicca Rupees Three hundred for each Breaking-in Carriage ſo to be furniſhed and provided by the ſaid Charles Croftes as herein-before is for that Purpoſe mentioned: And further, that they the ſaid United Company, their Succeſſors or Aſſigns, ſhall and will well and truly pay, or cauſe to be paid, to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, all ſuch Sum and Sums of Money ſo to become due and owing as herein-before is mentioned, immediately on the Bill or Bills for the ſame being preſented to the Military Paymaſter of the ſaid United Company, provided that ſuch Bill or Bills be firſt ſigned by the Commanding Officer of Artillery, and be counterſigned by the Commanding Officer of the Troops or Station to which the Bullocks or Camels, for whom ſuch Pay ſhall be drawn, ſhall be attached, if ſuch laſt-mentioned

* Sic in Orig.

† Sic in Orig.

Officer

Officer ſhall be of ſuperior Rank to the Commanding Officer of Artillery, and not otherwiſe; and alſo be certified by ſuch Officers paſſing and allowing the ſame Bills and Bill as juſtly due, according to the Terms of theſe Preſents, within Four Days after the Muſter of ſuch Bullocks and Camels, which Bills, when certified as aforeſaid, ſhall paſs as Vouchers through the Office of the Commiſſary General for the Time being, within the Space of Eight Days, and the Amount that ſhall be thereupon certified to be due ſhall be paid by the Military Paymaſter of the ſaid United Company for the Time being, or his Deputy, on the Preſentment of the ſame as herein-before mentioned: And for the greater Convenience of the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, it is hereby declared and agreed, that all ſuch Bills ſo certified in Manner aforeſaid, ſhall be paid or diſcharged, either at the Place or Places reſpectively where the ſame ſhall become due, or at the Preſidency of Fort William, at the Will and Option of him the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns: And further, that they the ſaid United Company, their Succeſſors or Aſſigns, ſhall and will, from Time to Time, and at all Times during the Continuance of theſe Preſents, immediately on Application being made for the ſame, well and truly furniſh and provide the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, with all and every ſuch and ſo many good and ſufficient Eſcort and Eſcorts as may be neceſſary for conveying in Safety the ſaid Bullocks and Camels to and from the Army, or to and from any Detachment thereof, as Occaſions may require; and when at or with ſuch Army or Detachment, ſhall and will find and provide for the ſame Bullocks and Camels ſuch Safeguards as the Strength of ſuch Army or Detachment will admit and allow of, the ſame to be judged of by the Commanding Officer of ſuch Army or Detachment; and alſo ſhall and will find and provide all ſuch ſufficient Eſcort and Eſcorts as may be neceſſary to attend and ſafely to convey to the ſaid Army, or any Detachment thereof, all Bullocks or Carriages loaded with Grain for the Uſe of the Draught and Carriage Bullocks, ſo to be employed in the Service of the Army as aforeſaid, all which Carriage Bullocks, ſo to be loaded with Grain, ſhall be allowed and permitted to attend and accompany the ſaid Army, or any Detachment thereof, and be furniſhed, in caſe of Danger, with ſufficient Safeguards to take Care of and defend them: And the ſaid United Company, for themſelves, their Succeſſors and Aſſigns, do further covenant, promiſe, and agree to and with the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, that they the ſaid United Company, the better to enable the ſaid Charles Croftes to purchaſe and provide proper and ſufficient Stock of Cattle for the Purpoſe of fully performing the Covenants and Agreements on his Part herein-before contained, ſhall and will well and truly lend and advance to the ſaid Charles Croftes, from the Treaſury of the ſaid United Company (on his requiring the ſame), any Sum or Sums of Money not exceeding in the Whole the Amount of Three Fourths of the Value of the Stock ſo to be provided by the ſaid Charles Croftes as herein-before mentioned; he the ſaid Charles Croftes previouſly giving good and ſufficient Security to the ſaid United Company, to the Satisfaction and good Liking of the Governor General and Council of the Preſidency of Fort William for the Time being, faithfully to account for all and every ſuch Sum or Sums of Money ſo to be advanced to him as aforeſaid, and to permit and ſuffer the ſame Sums of Money to be deducted and retained by the ſaid United Company, their Succeſſors and Aſſigns, out of ſuch the Payments to be made by the ſaid United Company in purſuance of the Covenant herein-before on their Part and Behalf contained: And that they the ſaid United Company ſhall and will grant to the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, a good and ſufficient Spot or Piece of Ground, at ſome Place within the Diſtance of Fifteen Miles of the Preſidency of Fort William aforeſaid, not exceeding in Quantity Two thouſand Begahs, whereon to feed and keep or depaſture ſuch Cattle as Occaſions ſhall require; and ſhall and will ſeal and execute to the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, a Leaſe or Grant of the ſame Sport * or Ground during the ſaid Term of Five Years. And it is hereby further covenanted and agreed, by and between the Parties to theſe Preſents, that if at any Time, during the Continuance of theſe Preſents, the Urgency of Affairs ſhould require a further or greater Number of Draught and Carriage Bullocks for the immediate Uſe of the Army, or any Detachment thereof, than thoſe already engaged to be ſupplied as aforeſaid, then that he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will find and provide the ſame, within ſuch Times as are herein-after for that Purpoſe mentioned, after Notice, in Writing, delivered to the ſaid Charles Croftes, his Executors, Adminiſtrators, Deputy, or Aſſigns, of the Want thereof; that is to ſay, That he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will find and provide any ſuch additional Number of Bullocks, good and ſufficient and capable of the Duty aforeſaid, not exceeding Two hundred, within the Space of Six Weeks; any Number not exceeding Five hundred, within the Space of Two Months; any Number not exceeding Eight hundred, within the Space of Three Months; and any Number not exceeding One thouſand and ſix hundred, within the Space of Four Months: And in caſe of Default or Neglect in the Proviſion and Supply of ſuch extra Number of Bullocks, or any or either of them, to be required as aforeſaid, and within ſuch Times as aforeſaid, that he the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, ſhall and will forfeit and pay to the ſaid United Company, their Succeſſors or Aſſigns, a Penalty at and after the Rate of Sixteen Sicca Rupees for each and every Bullock ſo to be required, and which ſhall not be found and provided: And for every extra Bullock ſo to be found and provided by the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, as laſt aforeſaid, he the ſaid Charles Croftes,

* Sic in Orig.

his Executors, Adminiſtrators, and Aſſigns, on Approval thereof as herein-after mentioned, ſhall have and receive from the ſaid United Company, their Succeſſors or Aſſigns, a Bounty or * Gratitude of Ten Sicca Rupees for every ſuch extra Bullock, which extra Bullocks when provided are to be ſubject to the ſame Regulation, Inſpection, and Power of Rejection, as the ſaid Four thouſand Draught and Two thouſand and ſeven hundred Carriage Bullocks herein-before covenanted to be found and provided, and examined and rejected or approved, as herein-before are for thoſe reſpective Purpoſes ſet forth. And it is further covenanted, declared, and agreed, by and between the ſaid Parties to theſe Preſents, that for the Purpoſe of keeping and preſerving in good Order and Exerciſe, and fit for immediate Uſe, all ſuch Bullocks as aforeſaid, the ſame Draught and Carriage Bullocks to each Brigade belonging, and when not on Service (ſtanding Camps not excepted) ſhall twice every Week perform the following Work; that is to ſay, the Draught Bullocks, with the Carriages loaded as in Service, attended by their Drivers and Sirdars, and the Carriage Bullocks, loaded with their ſtipulated Burthens, ſhall march or be worked the Diſtance of Six Coſs, or Twelve Engliſh Miles; the ſame to be done within Eight Hours, in dry Seaſon, from the Month of December to the Firſt Day of June in each Year, and the like March within the Space of Ten Hours in the rainy Seaſon; the ſame Work to be performed under the Inſpection of ſome One Commiſſioned Officer of the Artillery, to be appointed by the Commanding Officer for the Time being, which Officer ſhall, from Time to Time, report to the Commanding Officer the Performance of the Bullocks in ſuch aforeſaid Marches, and who ſhall thereupon, in the Monthly Review Roll of the Army, inſert ſuch Report, with ſuch Remark or Remarks as he ſhall judge neceſſary for the Information of the Commiſſary General for the Time being, the more effectually to enable him, ſuch Commiſſary General, to controul the Bills and Charges to ariſe or be due and payable on Account of theſe Preſents. And it is hereby further covenanted, declared, and agreed, by and between the ſaid Parties to theſe Preſents, that in caſe any of the Bullocks ſo provided ſhall be found unable and inſufficient to perform the March or Marches aforeſaid, that only Half the Pay and Allowance ſhall be paid to the Contractor for ſuch unable and inſufficient Bullocks, although ſuch Bullocks ſhall or may be of the Age, Size, and Standard herein-before ſtipulated and agreed on. And it is further declared and agreed, that in caſe of any Difference or Diſpute, touching or in anywiſe concerning the Sufficiency and Ability of any Bullock or Bullocks to perform ſuch March or Marches aforeſaid, that the ſame ſhall be finally determined by the Judgement of the Majority of the Three ſeveral Perſons herein-before mentioned to be appointed as Inſpectors of the ſame Bullocks, by which each Party ſhall finally abide. Provided nevertheleſs, that nothing herein-before contained in anywiſe reſpecting ſuch Marches, ſo to be performed for the Work and Exerciſe of the Bullocks, ſhall take Place or be enforced til † after the Expiration of Nine Months from the Day of the Date of theſe Preſents; it being the full Intent and Meaning of theſe Preſents, and the Parties to the ſame, that although the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall be allowed the ſaid Space of Nine Months to train and exerciſe the ſame Bullocks for their reſpective Labours aforeſaid ‡: Provided alſo, and it is hereby declared and agreed by and between the ſaid Parties to theſe Preſents, that in caſe the ſaid United Company, their Succeſſors or Aſſigns, ſhall, at the Expiration of Eighteen Months from the Date of theſe Preſents, be minded or deſirous to reduce the ſaid Complement or Number of Four thouſand Draught and Two thouſand and ſeven hundred Carriage Bullocks, to any reduced or inferior Number, that then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid United Company, their Succeſſors or Aſſigns, ſo to reduce the ſame, giving Six Months Notice, in Writing, to him the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, of ſuch Intention, ſpecifying alſo in ſuch Notice the Number of Bullocks to be diſmiſſed and diſcharged; at the Expiration of which Six Months, ſuch Reduction ſhall or may take Place, and not ſooner: And in caſe the ſaid United Company, their Succeſſors or Aſſigns, ſhall reduce ſuch aforeſaid Complement of Four thouſand Draught and Two thouſand and ſeven hundred Carriage Bullocks in Manner aforementioned, that then and in ſuch Caſe the ſaid United Company, their Succeſſors or Aſſigns, ſhall and will well and truly pay, or cauſe to be paid, to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, for each and every Bullock which ſhall be ſo diſmiſſed as aforeſaid, a Compenſation or Gratuity of Thirteen Siccas Rupees for each and every Year which ſhall remain unexpired of the Term of theſe Preſents, and for which Period ſuch Bullock or Bullocks would have been employed, and retained by virtue hereof, had no ſuch Reduction as aforeſaid been made, the Sum or Sums of Money ſo to become due and owing to be paid to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, when and as ſoon as ſuch Reduction ſhall take Place in Manner aforementioned, the ſame to be conſidered and received by the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, as a full and entire Compenſation for all Loſſes which he or they may bear or ſuffer by the ſuperfluous Stock which will remain on his or their Hands in Conſequence of ſuch Reduction, and as well as of all Damages which he or they ſhall or may ſuſtain or ſuffer by Reaſon thereof in any Manner of § wiſe. Provided alſo, and it is hereby further declared and agreed, by and between the ſaid Parties to theſe Preſents, that it ſhall and may be lawful to and for the ſaid United Company, their Succeſſors and Aſſigns, to lengthen and extend theſe Preſents, and the Agreements herein contained, during the Term of One Year beyond the Term of Five Years herein-before mentioned and expreſſed for the Limitation hereof, in caſe the ſaid United Company, their Succeſſors or Aſſigns, ſhall be minded or deſirous

* Sic in Orig.

† Sic in Orig.

‡ Sic in Orig.

§ Sic in Orig.

deſirous ſo to do, on One Year's Notice, in Writing, being for that Purpoſe given by the ſaid Governor General and Council, on the Part of the ſaid United Company, their Succeſſors or Aſſigns, to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns; but it is hereby declared and agreed, that they the ſaid United Company, their Succeſſors and Aſſigns, ſhall, on or before the Expiration of Four Years from the Day of the Date of theſe Preſents, give Notice or ſome Declaration in Writing, to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, whether they mean and intend to lengthen and extend the ſame Contract or not; and in caſe no ſuch Notice, as laſt aforeſaid, ſhall be given to the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, by or on the Part of the ſaid United Company, their Succeſſors or Aſſigns, of their Intention not to lengthen and extend the Term of the ſaid Contract, but that the ſame ſhall ceaſe and determine at the Expiration of the Term herein-before limited, then, and in that Caſe, it is hereby declared and agreed, that theſe Preſents, and all and ſingular the Covenants, Conditions, Articles, and Agreements herein-before mentioned and contained, on the reſpective Parts and Behalves of the ſaid United Company, their Succeſſors and Aſſigns, and the ſaid Charles Croftes, his Executors, Adminiſtrators, and Aſſigns, ſhall and are hereby declared and agreed to be extended, lengthened, and continued for the Space of One Year beyond the Term of Five Years herein-before limited; (that is to ſay) From the Day of the Date of theſe Preſents unto the Firſt Day of September, which will be in the Year of our Lord One thouſand ſeven hundred and eighty-five, ſubject to all and ſingular the Covenants, Proviſoes, Clauſes, and Agreements herein contained, in like Manner as if theſe Preſents had been originally made for the Space and Term of Six Years, inſtead of the Term of Five Years; and they the ſaid Parties to theſe Preſents do hereby promiſe and agree, with the others and other of them, in caſe no ſuch Notice as laſt aforeſaid ſhall be given, that they the ſaid Parties ſhall and will, on their and each of their reſpective Parts and Behalves, well and truly obſerve, perform, and keep all and ſingular the Covenants, Clauſes, Conditions, and Agreements herein-before contained on their reſpective Parts and Behalves to be obſerved, performed, and kept, during ſuch further and extended Term of One Year, as fully and amply as if the ſame had been originally made for ſuch Term of Six Years. And the ſaid Charles Croftes, for himſelf, his Heirs, Executors, and Adminiſtrators, doth further covenant, promiſe, and agree, to and with the ſaid United Company, their Succeſſors or Aſſigns, that he the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns, ſhall and will, at the Expiration of theſe Preſents, well and truly deliver over to any ſucceeding Contractor, or to any other Perſon or Perſons whom the ſaid United Company, or the Governor General and Council of the Preſidency aforeſaid, for the Time being, ſhall appoint for receiving the ſame, all and every the Camel and Camels which ſhall be the Property of, or belonging to, the ſaid United Company, and which at ſuch Time as aforeſaid happen to be in the Cuſtody or Power of him the ſaid Charles Croftes, his Executors, Adminiſtrators, or Aſſigns.

" In Witneſs whereof the Honourable Warren Haſtings, as Governor General; Richard Barwell, Philip Francis, and Edward Wheler, Eſquires, and Lieutenant General Sir Eyre Coote, Knight of the moſt Honourable Order of the Bath, as Counſellors of the Preſidency of Fort William aforeſaid, have ſigned their Names, and ſet the Common Seal of the ſaid United Company to One Part of theſe Articles remaining with the ſaid Charles Croftes, and to the other Part thereof, remaining with the ſaid United Company, the ſaid Charles Croftes has ſet his Hand and Seal, the Day and Year firſt above written.

" Sealed and delivered, where no Stamps are in Uſe or to be had, in the Preſence of } (Signed) " Charles Croftes. (*a*)

(Signed) { " Iſaac Baugh, " Tho' Ivory."

The Managers for the Commons ſtated, they ſhould next read Part of a Letter from the Court of Directors, to ſhew their Sentiments upon this Contract.

Read, from Book 431, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council, at Fort William in Bengal, dated London, 11th April 1781; beginning at Paragraph 42 of the ſame.

42. " The next Article of General Coote's Plan, which we ſhall notice, is intituled, Emendations for the Bullock Contract. Bullock Contract.

43. " We obſerve, that in July 1779, when the General's Emendations were propoſed to the Board, nearly Eighteen Months were unexpired of the then ſubſiſting Contract, which had been

(*a*) Vide Appendix, N° CXCIII.

Inſpection, 8th Jan. 1778, Fol. 83. Military Conſultation, 15th July 1779, Fol. 46 and 47. General Conſultation, 26th Auguſt 1778, Folio 642.

concluded for Three Years, commencing the 1ſt of January 1778, and expiring the 1ſt of January 1781.

44. " When the General introduced the Subject to the Board, he obſerved, that the Remarks offered by General Stibbert, in his Letter of the 22d of Auguſt 1778, reſpecting the State of the Draught and Carriage Bullocks, required immediate Attention; and upon that Letter the preſent Meaſure ſeems to have originated; but to our great Diſappointment, we find no ſuch Letter on your Records. You have minuted on Conſultation the 26th Auguſt, ' Read a Letter from General ' Stibbert as follows;' and ſeveral blank Pages are left for the Letter, but it is not entered.

45. " General Coote remarks, that being in a State of actual War, it was unneceſſary to ſet forth the indiſpenſible Neceſſity of having the Draught and Carriage Bullock Trains put in the beſt Order poſſible, becauſe the Succeſs of every Operation in War depends ſo very particularly on the good or bad Condition of the Artillery Trains; and in this Opinion we concur with the General.

Inſpection, 22d July 1779, Folio 37.

46. " We obſerve General Stibbert, in his Letter of the 6th of April, repeats his Repreſentation of the Neceſſity of coming to ſome ſpeedy Reſolution for having the Army better ſupplied with Bullocks in very ſtrong Terms; and we alſo find, that he had ventured, in ſome Degree, to anticipate that Part of your Regulation reſpecting the ſtipulated daily Allowance of Food for the Bullocks.

Bullock Contract, 11 April 1781. Folio 141.

47. " The Number of Bullocks to be entertained by the Terms of the Contract, the Compenſation to be made in caſe of Reduction, the advanced Price for Proviſion and Feeding, and the Term for which the Contract is extended, are Objects which demand our Conſideration. We ſhall ſtate the principal Facts on your Records, and then proceed to give our Sentiments and Inſtructions on the Points above-mentioned.

48. " On your Military Conſultations of the 3d Auguſt 1779, we find the Number of Draught Bullocks to attend One Brigade in the Field, upon the Eſtabliſhment propoſed by General Coote, is ſtated at — — — — — — — 789
The Carriage Bullocks, at — — — — 569 } Spare Bullocks included.

1,358
Suppoſe Two more Brigades to be — — — 2,716

According to this Eſtabliſhment, the Total for Three Brigades in the Field ſhould be — — — — 4,074

The Draught Bullocks to be provided by the new Contract are — — — — — — 4,000
And the Carriage Bullocks — — — — 2,700

The Total is — — 6,700

49. " The Exceſs, above the Number eſtabliſhed by the General, to be attached to the Three Brigades, is 2,626.

50. " There appears to us an Inconſiſtency in this Part of your Plan, for which we cannot account; you have but Three Brigades; you have provided for a full Eſtabliſhment of Bullocks for each Brigade; you have added One to every Six as ſpare Bullocks: The Whole amounts to no more than 4,074; but you have contracted for 6,700 Bullocks to be kept in Pay, which is 2,626 more than the Service requires.

51. " In the new Contract, we obſerve, proper Regulations are formed for preventing the Admiſſion of bad Bullocks into the Service; alſo to oblige the Contractor, under a Penalty, to feed the Bullocks with a certain Quantity of Food ℔ Day, and to provide a ſtipulated Number of Drivers and Overſeers to attend them on Service.

Inſpection, 2d Sept. 1779, Folio 522.

52. " We find the Number and Monthly Expence of Bullocks with the Army in September 1779 thus ſtated on your Proceedings; viz.

Draught without the Provinces	1,280	at 5	0 Rupees ℔ Month	6,400	—
D° within the Provinces	1,161	at 3	7 D°	3,990	15
Carriage without the Provinces	612	at 3	10 D°	2,218	8
D° within the Provinces	564	at 3	3 D°	1,797	12
Total Number	3,617		Amt ℔ Month St Rs	14,406	3
			Or Sicca Rs —	13,786	3

53. " By the new Contract, no Diſtinction is made between Draught and Carriage Bullocks, nor between thoſe ſtationed within and without the Provinces; but as it had been the univerſal Cuſtom

Cuſtom to make a conſiderable Difference in the Charge, we can by no Means approve that Part of your Regulation, unleſs the general Average had been reduced on that Account.

54. " The Expence of your Eſtabliſhment is ſtated as follows; viz. Inſpection, 2d September 1779, Folio 523.

	N°		Sicca R^s			
Bullocks	6,700	at	5 12	—	—	38,525
Drivers	3,350	at	5 –	—	—	16,750
Sirdars	559	at	6 –	—	—	3,354
			Sicca Rupees	—		58,629

55. " The Difference or Exceſs ℔ Month, compared with the then ſubſiſting Contract, is ſtated on your Proceedings at Rupees 44,842 13; and the Total Expence at Current Rupees 8,16,120 ℔ Annum.

56. " It reſts with you to prove that the Service is benefited in Proportion; otherwiſe the Meaſure muſt have our Condemnation.

57. " The late Contractor, Mr. E. A. Johnſon, being dead, we find the Offer of the Contract was made to Mr. Richard Johnſon, his Brother and Executor, and immediately accepted; but his late Brother's Share having been already transferred to Mr. Charles Croftes, and Mr. Croftes having been a Partner in the ſubſiſting Bullock and Victualling Contract, Mr. Johnſon requeſted that both the new Contracts might be made out in the Name of Mr. Croftes, which was done accordingly. Inſpection, 19th Auguſt 1779, Folio 281.

58. " We remark, that in the Agreement of 1777, any Number of the Contractor's Bullocks might be diſcharged, upon giving One Month's Notice to the Contractor; but by the Emendation propoſed in July 1779, the whole Number of 6,700 Bullocks were to be kept in Pay during the Time of the Contract: But we obſerve, that on the 26th of Auguſt 1779, when your Secretary laid before the Board the Articles of Agreement which had been prepared by the Company's Attorney, the Governor General propoſed an additional Clauſe to the following Effect: That it ſhould be lawful for the Governor General and Council, after the Expiration of Eighteen Months, to reduce any Part of the Eſtabliſhment of Bullocks, upon Six Months Notice; that for every reduced Bullock, a Sum equal to Thirteen Rupees ℔ Annum ſhould be paid to the Contractor, during the Remainder of the unexpired Term of the Contract; and if additional Bullocks ſhould be wanted, a Bounty of Ten Sicca Rupees ℔ Head, over and above the Rates allowed for providing and feeding 6,700 Bullocks, muſt be paid to the Contractor, which additional Clauſe was agreed to by the Board. Inſpection, 8th Jan. 1778, Folio 86. Vide 16 Article. Inſpection, 2d Sept. 1779, Folio 499. 504. 527. 506. Inſpection, 16th Sept. 1779, Folio 672.

59. " We find the Company are obliged to advance and lend to the Contractor any Sum of Money not exceeding Three Fourths of the Value of the Stock to be provided; alſo to grant him a good and convenient Spot of Ground within Fifteen Miles of Fort William, not exceeding 2,000 Begahs, whereon to feed and depaſture his Cattle. On which we remark, that Three Fourths of the Amount of the Stock, appears to us an unreaſonable Advance; and that the Indulgence of ſo large a Sum, and of Land for the Uſe of the Cattle, ought to have reduced the regular Price of providing and feeding to the moſt moderate Bounds. 670. 671.

60. " From the foregoing Facts, the following Obſervations occur; viz.

" Firſt, That as the Number of Bullocks ſtated by General Coote, as neceſſary for the Draught and Carriage Trains, after adding One ſpare Bullock to every Six to be employed, amounted to no more than 4,074 for Three Brigades; the ſurplus Number of 2,626 appears to us totally unneceſſary; and therefore, unleſs it ſhall appear that we have miſtated your Propoſitions, or totally miſtaken your Intentions, the ſaid 2,626 Bullocks, if already entertained, muſt be diſcharged immediately, as they cannot be paid for by the Company.

" Second, The Compenſation agreed to be made to the Contractor for Bullocks which may be diſcharged, appears to us exceſſive and unreaſonable, and therefore ought not to be paid by the Company, nor any Part thereof exceeding the real Difference between the prime Coſt and the Amount for which ſuch ſupernumerary Bullocks may be ſold by the Contractor.

" Third, If the Contractor ſhall refuſe to diſcharge the ſurplus Bullocks, without being paid the full Compenſation ſtipulated, they muſt nevertheleſs be diſcharged, and you muſt be reſponſible for the Damage ſuſtained by the Company.

" Fourth, Upon the moſt impartial Conſideration of all the Materials before us, we candidly allow your Syſtem for the Proviſion of Cattle for the Service of the Trains to have been excellent, provided you had advertiſed for Propoſals, and thereby aſcertained the loweſt Terms procurable, with good Security for Performance of the Contract.

" But the Offer made to the Contractor for Five Years, without advertizing for Propoſals, appears to us very improper.

" Fifth, We are nevertheleſs of Opinion, that provided the Terms were reaſonable, it might not, for the moſt obvious Reaſons, be for the Good of the Service, in Time of War, to renew the Bullock Contract every Year.

61. " We therefore direct, that in future no greater Number of Draught or Carriage Bullocks be entertained, to be paid for by the Company, than ſhall be neceſſary for the Service; that the Terms

Terms of the Contract be always advertized, One Year at leaſt before the Expiration of the ſubſiſting Contract; that the loweſt Terms, with good Security for Performance, be accepted; and that no Contract for Bullocks be, on any Account, concluded for a longer Term than Three Years.

(Signed, at the End of the Letter,)

" Thoˢ Cheap, W. Devaynes,
L. Darell junʳ, L. Sulivan,
J. Stables, Jn. Woodhouſe,
Nathˡ Smith, Jnº Michie,
Jn. Townſon, Wᵐ James,
W. G. Freeman, John Robertſ,
John Harriſon, Fran. Baring,
Chaˢ Boddam, Jaˢ Moffatt."

" London,
" the 11th April 1781.

The Managers for the Commons informed the Houſe, they ſhould next produce a Letter from the Court of Directors, which arrived immediately after the Signature of this laſt Contract, condemning the former One with Mr. Johnſon; and then read a Part of Mr. Haſtings's Anſwer to that Letter, to ſhew that, inſtead of obeying the Orders contained in it, he pretended to miſtake them, and did another Thing quite the Reverſe.

Read, from Book 221, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, Bengal, dated London, 23d Dec. 1778, beginning at Page 569 of the ſame Book.

95. " In the 134th Paragraph of the Company's General Letter, dated the 23d March 1770, the Preſident and Council were poſitively directed not to fail, every Year, to advertize for and receive ſuch Propoſals as might be offered for ſupplying the Troops with Proviſions, and for feeding Draught and Carriage Bullocks to be employed with the Army; and that, in all Caſes, thoſe Propoſals which ſhould appear loweſt in Point of Charge ſhould be accepted. They were alſo to take Care, that in all Advertizements a ſufficient Time ſhould be allowed for Candidates to prepare Propoſals, before the Expiration of the ſubſiſting Contract, and before the Time limited for receiving them; and in the 39th Article of your General Inſtructions, dated the 29th of March 1774, you were expreſsly directed, not only to attend ſtrictly to the ſtanding Orders of the Company, but to 'all ſuch Orders and Inſtructions as the Court of Directors had tranſmitted to the 'Governor and Council or Select Committee at Fort William.'

96. " In September 1777, Mr. Johnſon (who had held the Army Contract in 1775), gives in Propoſals for providing and feeding Draught and Carriage Cattle, and for victualling the Europeans. Inſtead of proceeding according to the Court's Orders, and to the eſtabliſhed Uſage of the Service, you direct Mr. Johnſon's Propoſals to be compared with the Terms of the unexpired Contract, and by the Report of your Secretary, we find them correſpond with the Terms of the ſaid Contract, except in Two Particulars; namely, that Mr. Johnſon demanded an additional Sum of One Rupee ℔ Month for feeding Camels not on actual Service, and Fifteen Rupees ℔ Month for every Camel which ſhould be his own Property, though no ſuch Stipulation had been made by the Contractor in the then ſubſiſting Contract.

97. " Admitting, as we do, that the Increaſe of Charge to the Company was inconſiderable, your Proceedings were nevertheleſs totally irregular, and your Acceptance of Mr. Johnſon's Offers was in many Points of View a moſt deliberate Breach of your Duty; you have extended a Contract for Three Years, which was poſitively ordered to be annual; you have refuſed to advertize for Propoſals, though expreſsly commanded by the Court of Directors; and you have concluded this Contract for Three Years, upon Terms leſs advantageous than the preceding Contract, and therefore not upon the loweſt Terms procurable.

98. " The Perſon who then held the Contract had juſt petitioned you for an Extenſion of his Term, and expreſſed his Hope of holding the Contract for Three Years. He alſo ſignified a Wiſh to be allowed Half Price for diſcharged Bullocks, and Prime Coſt for extra Bullocks procured during the March of the Army; which Regulations were not in his former Contract.

99. " With theſe Materials before you, the Queſtion is put, Whether the Contractor's Terms, or the Propoſals of Mr. Johnſon, ſhall be accepted? Mr. Francis, in ſtrict Conformity with the Company's Orders, and according to eſtabliſhed Uſage, was of Opinion, that the Contract ſhould be advertized. Mr. Barwell thought the preſent Contractor had (the preceding Year), by making low Propoſals (to uſe his own Phraſe), ejected Mr. Johnſon, in hopes of obtaining future Indulgence, and therefore he could not heſitate to give his Vote for Mr. Johnſon.

100. " However ſtrange Mr. Barwell's Motive for giving his Vote for Mr. Johnſon may appear to us, we muſt confeſs, the Governor General's Reaſons for concurring therein were ſtill more extraordinary. His Words are, 'I diſapprove of publiſhing for Propoſals; the Contract is reduced 'too low already, and will require a vigilant Attention to it, on the Part of the Commanding 'Officer of the Corps of the Army, that it be duly performed.' To which he adds, that according

to the beſt Information he had been able to obtain, little Profit would be made by the Contractor if he did his Duty.

101. " But although the Governor General has thought proper to expreſs ſo direct and pointed a Diſapprobation of the Mode adopted and poſitively enjoined by the Company, for conducting ſo great a Branch of their Affairs as that of the Army Contract, we nevertheleſs adhere to the Propriety of the Court's Orders, and hereby renew the Injunction, that you fail not, every Year, Three Months at leaſt before the Expiration of the ſubſiſting Contract, to advertize for and receive ſuch Propoſals as may be offered for ſupplying the Troops with Proviſions, and for feeding Bullocks and Camels to be employed with the Army, and that in all Caſes you accept the loweſt, with ſufficient Security for Performance.

102. " If the preſent Contractor ſhall think proper to conform to this Regulation, and give in Propoſals lower than thoſe of any other Perſon, who ſhall offer good Security for Performance, he will be entitled to hold the Army Contract for another Year, or it may be to the End of his preſent Term; but on no other Conditions will we permit it. And if he ſhall think himſelf aggrieved, and take Meaſures in conſequence, by which the Company becomes involved in Loſs or Damage, we ſhall certainly hold the Majority of our Council reſponſible for ſuch Loſs or Damage, and proceed againſt them accordingly; but as One of the Members of your Board has very properly entered his Diſſent to the Meaſure, he will of Courſe be exempted from Proſecution, and, in Juſtice to his Sentiments and Conduct on the Occaſion, we hereby declare, that they have our entire Approbation.

103. " And we further direct, that the before-mentioned 134th Paragraph of the Court's General Letter on this Subject, dated the 23d of March 1770, be forthwith given out in General and Brigade Orders, and read at the Head of every Brigade and Detachment of our Troops in Bengal, by the reſpective Adjutants doing Duty with ſuch Troops, Once in every Three Months at leaſt; and likewiſe, that the Commander in Chief and Commandants of the ſaid Corps, report to you every Month in what Manner the Troops are victualled, the Cattle fed, and, in general, how the Terms of the Contract are obſerved and fulfilled by the Contractor, ſo far as ſhall have come to his or their Knowledge, for your Information and Guidance in rectifying Abuſes, if ſuch ſhall hereafter occur in the carrying on of this important Service.

(Signed at the End of the Letter)

" J. Stables, G. Wombwell,
John Smith, Wm James,
W. G. Freeman, L. Sulivan,
Wm. Mills junr, Joſeph Sparkes,
Ben. Booth, Samuel Peach,
R. Hall, H. Fletcher,
John Roberts, Chas Boddam,
Thos Cheap, Robt Gregory."

The Managers for the Commons ſtated, that this Letter was received by the Barfleur, Two Days after the Execution of the Contract with Mr. Croftes.

Read from Book 25, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William in Bengal to the Court of Directors, dated Fort William, 14th January 1780, beginning at Page 28 of the ſame Book.

66. Your Orders, contained in your Letter of the 23d December 1778, reſpecting the various Contracts which we had entered into for the Execution of the Publick Service, have been notified, without Exception, to the different Contractors they alluded to, and each of the Parties was required to tranſmit his Anſwer to that Department of our Council in which his Engagements were concluded. Moſt of theſe come before the Board of Inſpection, who will adviſe you of their Proceedings upon them.

67. The 103d Paragraph of your Letter of the 23d December 1778, has been publiſhed in General and Brigade Orders, according to your Directions, with the former Order to which it alludes * Officers in examining and reporting to us the Condition of the Cattle and Victuals provided by Contract for the Army; but we apprehend that you meant, in your Reference, to ſpecify the 135th inſtead of the 134th Paragraph of your General Letter, dated 23d March 1770. We have therefore made this Correction accordingly (*a*).

* Sic in Orig.

(Signed at the End of the Letter)

" Warren Haſtings,
P. Francis,
Edwd Wheler."

(*a*) Vide Appendix, N° CXCIV.

The Managers for the Commons ſtated, they ſhould next proceed to give in Evidence the Conſultation in which a Reduction of the Bullocks is ordered by the Board, conformable to the Letter of the Court of Directors of the 11th of April 1781, already in Evidence (*a*), and particularly the Date of that Conſultation.

Read, from Book 444, already delivered in, the following Extract of a Conſultation of the 14th of May 1783, beginning at Page 272 of the ſame Book.

" Fort William, the 14th May 1783.

" At a Board of Inſpection; Preſent,

Edward Wheler,
John M^c^Pherſon,
and
John Stables,
} Eſquires.

The Honble the Govr. Genl. indiſpoſed.

Minute of the Board regarding the Reduction of the Bullocks.

" The Board having taken into Conſideration the Bullock Contract, find, that from the Month of November to the Month of February 1384 extra Bullocks have been diſcharged, and that the Eſtabliſhment was then left at — — — — 6700, vizt.

" In Bengal and its Dependencies — — —	5540
" At Madras — — — — —	1160
" In all — — — — —	6700

And as it was their Intention to make a further Retrenchment as ſoon as the Cattle could be ſpared; they think it now neceſſary to reduce the Number to 4004, the Number reſtricted by the Court of Directors to be employed; and, with reſpect to the 1160, which are none * at Madras, as the Contractor draws for them agreeable to the Madras Regulation; the Board order that they be conſidered as ſeparated from his Contract in the ſame Manner as the Cattle that went with the Bengal Detachment to Bombay, and that they be given up to his Agents at Madras.

* Sic in Orig.

" It muſt be obſerved, that the Contractor is by his Contract intitled to Six Months Notice before the Cattle can be diſmiſſed; but the Board direct that the Reduction here-before mentioned ſhall take Place from the Firſt of next Month, as the Governor General acquaints them, that he ſignified to the Contractor their Intentions of reducing the Number of Cattle as ſoon as the Service would admit of ſuch a Reduction, and that upon his informing him that it was now to take Place, the Contractor agreed to waive his Right to the Six Months official Notice, and has acquieſced to the Reduction taking Place on the 1ſt of May next.

April 17th. " Agreed, That the neceſſary Orders be iſſued to the Bullock Contractor, Commander in Chief, Commiſſary and Paymaſter General, and publiſhed in General Orders accordingly (*b*)."

(No Signature at the End of the Conſultation.)

To prove that the Governor General and Council gave Notice to the Court of Directors, that Mr. Croftes had aſſigned his Contract to Mr. Ferguſſon,

Read, from Book 29, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William in Bengal to the Court of Directors, dated 29th November 1780, beginning at Page 106 of the ſame Book.

92. " Mr. Charles Croftes has aſſigned over to Mr. John Ferguſſon his Contract for ſupplying the Army with Draft and Carriage Cattle, and alſo his Contract for victualling the European Troops on this Eſtabliſhment. We directed Mr. Ferguſſon to be conſidered in all Reſpects as Contractor in the Room of Mr. Croftes.

(Signed at the End of the Letter)
" Warren Haſtings,
" Edwd Wheler."

The Managers for the Commons ſtated, they ſhould next read a Paſſage from the Anſwer of the Defendant, delivered by him at the Bar, to the Fourth Article of Charge, admitting that he afterwards ſuffered this Contract to remain, although he had an Opportunity of putting an End to it by Notice.

(*a*) Vide ſupra, P. 1371.

(*b*) Vide Appendix, N° CXCV.

Read,

Read, the following Extract from the Anſwer to the Fourth Article.

" And the ſaid Warren Haſtings ſays, That the Attention of the Board not being immediately called to the Terms of the ſaid Contract, the Period of Time at which previous Notice for the Determination of the ſame ſhould have been given, was accidentally ſuffered to elapſe; in Conſequence whereof, the ſaid Contract would, by virtue of the Clauſe herein-before mentioned, have continued for the Term of Six Years, that is to ſay, till the Firſt of September One thouſand ſeven hundred and eighty-five, which the ſaid Warren Haſtings admits would have been for a longer Time than the then Situation of the Eaſt India Company's Affairs in India required: But the ſaid Warren Haſtings ſays, that to prevent ſuch Continuance, the ſaid Warren Haſtings did, on the Second February One thouſand ſeven hundred and eighty-four, when, by the Reſtoration of Peace, a Reduction of the Military Eſtabliſhment in Bengal had become practicable and ſafe, propoſe in Council, and a Majority of the Council did accordingly reſolve to purchaſe an immediate Relinquiſhment of the Contract, and the ſame was accordingly purchaſed, after it had been held only Three Years and an Half, upon ſuch Terms as to the Board appeared reaſonable; and which the ſaid Warren Haſtings denies to have been extravagant or unreaſonable, or that the Eaſt India Company did, by ſuch Purchaſe, ſuſtain great Loſs and Damage (*a*)."

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide ſupra, P. 1309.

Die Veneris, Maij 27° 1791.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker informed the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons ſtated, they ſhould proceed in proving that the Governor General and Council purchaſed from Mr. Ferguſon the Relinquiſhment of his Intereſt in the Contract, which remained to run for a Year and a Half longer, in Conſequence of their neglecting to give the Notice.

Read, from Book 432, already delivered in, the following Extract of a Conſultation of the 11th March 1784, beginning at Page 223 of the ſame Book.

☞ ["" Fort William, the 11th March 1784.

"" At a Board of Inſpection; Preſent,
Edward Wheler,
and
John Stables,
} Eſquires.

The Honble. the Governor General on a Viſit to the Northern Provinces.
Mr. Macpherſon abſent at Sea for the Recovery of his Health.

"" This Day the Secretary circulated, at the Deſire of the Honble. the Governor General, Mr. John Ferguſſon's Letter of the 26th January laſt, with the Governor General's Minute thereon for this Day's Date, for the Opinion of the other Members of the Board.

"" To the Honble. Warren Haſtings, Governor General, &c. Supreme Council.

"" Honble. Sir and Sirs,

"" In my Contract with the Honble. Company for ſupplying the Army with Bullocks and Camels, there is the following Clauſe: ' Provided alſo, that in caſe the Company ſhall, at the Expiration ' of Eighteen Months from the Commencement of the Contract, be deſirous to reduce the Eſta- ' bliſhment, that the Company ſhall be empowered ſo to do, on giving Six Months Notice to the ' Contractor of ſuch Intention, which Notice is to ſpecify the Number of Bullocks to be diſmiſſed ' or diſcharged; that in caſe the Company ſhall reduce ſuch Eſtabliſhment, that the Contractor ' ſhall be paid for every Bullock which ſhall be diſmiſſed, a Gratuity of Thirteen Sicca Rupees for ' every Year which ſhall remain unexpired of the original Term of the Contract, and for which ' the Bullocks could have been retained had no ſuch Reduction been made: That the Payment of ' this Gratuity ſhall be made on the Reductions taking Place. Provided alſo, that it ſhall be law- ' ful to the Company to extend the Contract for the Term of One additional Year, on One Year's ' Notice being given to the Contractor before the Expiration of Four Years, whether they intend ' to lengthen and extend the Contract; and in caſe no Notice ſhall be given, that the Contract ſhall ' be continued for the Term of One additional Year beyond the original Term of Five Years.' No Notice having been given me, I am ready to go on with the Contract for another Year, that is, from September 1784 to Auguſt 1785; but ſhould it be more agreeable to your Honble. Board to cloſe the Contract in September 1784, I will relinquiſh my Right of holding it for the Year 1784-5 on the following Conditions:

1ſt, That the Difference between the Price of Rum and Arrack be paid to me, agreeable to the Board's Reſolution of the 23d Auguſt 1781, communicated to me by the Secretary in the following Words:

"" The Board are perfectly ſatisfied, that the Price of Rum muſt be greatly enhanced, ' and ' much dearer ſince Hoſtilities were commenced' againſt the Dutch, and that it will coſt you ' perhaps conſiderably more than Batavia Arrack' uſed to do; but as it will be made in larger ' Quantities now than formerly, the Board are hopeful' the Difference may not be very great in the End. ' However, whatever it may be, upon your certifying' the ſame properly to the Board they will allow ' you the Difference that may ariſe on that Account.' The Difference amounts, as ℔ Certificate encloſed, to R' 45,410.

2d, That my Stock be taken off my Hands by the Company at the following Valuations:

" 4,074 Bullocks, — — — — — at 30 Sa Rs ℔ Bullock.
" 142 Camels, — — — — — at 250 Sa Rs ℔ Camel.
" 18 Breaking-in Carriages, Six for each Brigade, at 800 Sa Rs each.
" Buildings for Cattle near Calcutta, and the other Stations, at 50,000.

" Theſe Prices will, I hope, appear reaſonable to your Honble. Board, when I can with Propriety aſſure you, that I have frequently paid for Bullocks at the Rate of Forty or Fifty Rupees each, and 3 to 500 for Camels. Thoſe I offer to deliver to the Company, are all good, well trained Bullocks, and ſuch as I am convinced cannot be procured elſewhere."]

§ (" When the laſt Reduction of Cattle was made, I gave up the Premium upon thoſe which were " diſcharged, which was my Right; it would have amounted to 40,000 Sicca Rupees. I gave it " up, as I found it was not the Pleaſure of the Board to allow it. But I muſt now beg Leave to " ſtate to you, that upon making up my Accounts, I find that my Total Loſs upon diſcharged " Cattle comes to nearly One Lack of Rupees, which I am ready to teſtify, and is too heavy a " Loſs for me to bear. I hope therefore, that for this, as well as for the Relinquiſhment of my " Contract, you will allow me an additional Ten Rupees a Head for the Bullocks which I offer to " deliver over to the Company.

" I have the Honor to be, with the profoundeſt Reſpect,
" Honble. Sir and Sirs,
" Your moſt obedient and
" moſt humble Servant,
(Signed) " John Ferguſſon, Contr."

" Governor General.—The Firſt Article of the Propoſal in the Contractor's Letter, being the " Difference between the Coſt of Rum and Arrack, is founded upon a Reſolution of this Board, " and from that Circumſtance will of Courſe meet with the Concurrence of the Board.

" The other Articles regard the Rate at which he propoſes to deliver his Stock to the Company; in ſtating this, his Arguments appear reaſonable, and the Calculations at medium Rates. " Independant of this, ſome Return is due to the Readineſs with which he relinquiſhed his Rights " to a Gratuity upon the laſt Reduction. In Conſideration of this, and the very heavy Loſs (near " One Lack) certified to have been incurred upon diſcharged Cattle, I propoſe, that his preſent " Tender be accepted of, as ſtated in the Letter before us. I am ſtill further induced to this, as " our preſent Situation makes me wiſh to make him a Propoſal of a Surrender of his Rights, to " which we may the more readily hope for and claim his Concurrence, after we ſhall have yielded " to ſuch of his Claims as have appeared reaſonable to us. The Propoſal I would recommend " to the Board, if they concur in the above, is this:

" That War being now at an End with our national Enemies, as well as with all the Powers of " Hindoſtan, it becomes our firſt Object to reduce our Military Eſtabliſhment, and every Thing " connected with it, to its former State, or even lower, if the general Peace and Probability of its " Duration will admit of it. The Contract offers One of the moſt conſiderable Objects in this Line. " I therefore propoſe, that we explain the Grounds of our Views to the Contractor, and recommend to him to join in the general Welfare, by a Surrender of his Rights on the Firſt of next " Month, making a Statement of the Profits he may thereby relinquiſh, and leaving it to the Candour of the Board to make a final and equitable Concluſion. I feel ſome Satisfaction in making " this Propoſal, becauſe the Grant of this Contract has more than once drawn diſagreeable and " undeſerved Reflections upon my Perſon in particular, founded upon my known Regard for the " Firſt Contractor, Mr. Croftes. The Urgency and Diſpatch of War, will not ſuit with the cold " and ſlow Proceedings reſulting from ſtrict Œconomy. I therefore agreed to the apparent high " Terms, that I might be aſſured of good Service. I muſt do him the Juſtice to ſay, that I have " not been diſappointed either in him or his Succeſſor, Mr. Ferguſſon. But now, that a Change " of Situation ſtimulates me to attend more to œconomical than any other Plans, I am glad to ſhew " that no Conſideration of private Friendſhip or Regard can ſtand between me and what I conceive " my publick Duty.

" If the Contractor's Reply ſhall appear reaſonable to the Board, it is my Intention to recommend, that an Agreement conformable thereto be immediately made with him for the Surrender " of his Contract, and that the Charge of ſupplying and feeding Bullocks and Camels for the Uſe " of the Army, and victualling the Europeans on this Eſtabliſhment, be managed by Agency inſtead of Contract, not doubting that I ſhall be able to make it appear, that great Savings may " be made by this Change of the Mode.") (*a*) §

(No Signature at the End of the Conſultation.)

(*a*) Vide Appendix, N° CXCVI.

Read,

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 246 of the ſame Book.

☞ [" February 13th.—Yeſterday the Secretary wrote a Letter to Mr. Ferguſſon, in Conformity to the Sentiments of a Majority of the Board, and this Day received the following Anſwer from the Contractor.

" To William Buſhby, Eſq. Secretary to the Board of Inſpection.

" Sir,

" I have received the Favor of your Letter of the 12th inſtant, acquainting me, that the Honble. the Governor General and Council have been pleaſed to accede to my Propoſals for ſurrendering my Contract on the 31ſt Auguſt 1784, as ſtated in my Addreſs to them, dated 26th January; and informing me further of their Wiſh to obtain a Relinquiſhment of it on the 1ſt of next Month, inſtead of 31ſt Auguſt 1784,]☞ § (" and deſiring me to inform them what " my Profits would be for the enſuing Six Months, that is, from 1ſt March 1784, to 31ſt Auguſt " 1784. In Anſwer to this Requiſition, I beg Leave to acquaint you, that I calculate my Profits " at the Rate of 15,000 S^t R^s ℔ Month, and which I hope the Board will be pleaſed to allow me " for the Six Months next enſuing: This, however, I ſubmit to their Candour and Juſtice, being " ever ready to accommodate myſelf to their Views; but I hope they will not make the Compenſa- " tion for the Surrender leſs than the Sum I have here ſtated, as I can prove, that I have now upwards " of One Lack of Rupees of bad Debts on the Contract Books, which have been indiſpenſably " occaſioned by my being compelled to give my Agents an unlimited Credit during the War; " and to wipe off which, I have no Reſource whatever, but my expected Profits from this to " Auguſt.

" For the Amount of my Stock, and other Articles ſtated in my Letter of the 26th, as well as " for the Compenſation above-mentioned, I hope the Honble. Board will be pleaſed to iſſue " Orders on the Treaſury in my Favor, as I have borrowed large Sums on Account of the Con- " tract, which is liable for them, and the only Fund from which they can be paid. The Sur- " render of the Contract, and of the Stock as ſtated in my Letter of the 26th January, will of " Courſe be made by me to you on the laſt Day of this Month; and I requeſt the Board will " iſſue the neceſſary Orders for their being received, and for victualling the Europeans.

" I have the Honor to be,

" Sir,

" Your moſt obedient,

" Calcutta, " humble Servant,

" the 13th February 1784.

(Signed) " John Ferguſſon, Contr.") (*a*) §

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 249 of the ſame Book.

§ (" Governor General.—The Contractor having computed his Profits at 15,000 Rupees ℔ " Month as gained upon an Average, with all the Hazards of a perilous Campaign, and high Rate " of Grain, attending that Part of his Stock which was in the Carnatic on Service; and as the In- " demnification for the Time to come, whatever ſhall be allowed, will be a clear Gain, without " either Riſk or Trouble attending it, I am of Opinion, that an Allowance of 10,000 Rupees " ℔ Month for the enſuing Six Months, will be an equitable Accommodation, and recommend " that it be granted him in full for the Conſideration of his yielding this Interval of the " Period of his Contract.

" I alſo agree and recommend, that for the Amount of the Stock and other Articles ſpecified in " Mr. Ferguſſon's Letter of the 26th ult°, as well as for the Compenſation above-mentioned, an " Account thereof be made out by the Secretary of this Department, and Orders upon the Trea- " ſury iſſued to the Amount in Favor of the Contract to be delivered by the Secretary to Mr. " Ferguſſon, on his final Surrender of the Contract; and the Secretary will conſider the laſt " monthly Returns as a Voucher of the Number of Cattle employed by the Contractor; and in " caſe any ſhould be found deficient of the Eſtabliſhment at the Expiration of this Month, when " the Whole are to be delivered over, the Contractor to be bound either to complete the Eſtabliſh- " ment, or to make the neceſſary Deductions accordingly.

" It is with great Satisfaction that I lay before the Board the accompanying Letter from the " Contractor, who has ſtated with much Candor and Exactneſs, what his real Profits have been " during the War. This Letter will, I hope, fully contradict the various injurious Reports " which have been raiſed againſt the Terms of this Contract, the Profits of which have been " greatly exaggerated in private Letters from hence, and which have ſerved to prejudice the

(*a*) Vide Appendix, N° CXCVI.

" Minds

" Minds of the People in England, and of the Court of Directors againſt it, as particularly appears
* Sic in Orig. " from their Letter of *
" It is now made evident, that the Terms of this Contract were by no Means too high; and I " am ſatisfied that every Man of Candor, and converſant in Buſineſs, will admit that a Profit of " 15 ℔ Cent. as ſtated by the Contractor, certified by his Book Keeper, and which can, if neceſ- " ſary, be verified on Oath, was by no Means adequate to the great Riſk to which he has been " expoſed.

(Signed) " W. Haſtings."

" To the Honble. Warren Haſtings Eſq.

" Honble. Sir,

" On a Suppoſition that the Terms I have ſubmitted for ſurrendering the Bullock Contract in " Auguſt next, will be thought reaſonable and agreed to, I beg Leave to make ſuch Obſervations " as may be uſeful regarding it in future.

" During the War, 6,700 Bullocks were not always ſufficient, extra ones having been required " at Times; but it now appears that on a Peace Eſtabliſhment 4,074 will do, and as theſe will " belong to the Company, and fewer Sirdars and Drivers will be wanted, I conceive that the " Expence may be conſiderably reduced. The preſent Allowances to the Contractor,

	Rs.	A.	
" In Time of War, are ℔ Bullock, " 3 Seer of Gram, or, on March, " 4 Seer — — —	3	12	
" Allowance for Uſe, Hire, and " Caſualties — — —	1	—	
" Picket Ropes, Bridles, Pads, &c.	1	—	
" ½ a Driver — — —	2	8	
" 1/12 of a Sirdar — — —	—	8	
Rs —	8	12	

	Rs	A.	P.
" In Time of Peace, when Bullocks " are not wanted for actual Service, " it may be done, and by Agency, " as follows:			
" 2 Seer of Gram, ℔ Bullock —	2	8	—
" Picket Ropes, &c. — —	—	8	—
" ¼ of a Driver — — —	—	12	—
" 1/48 of a Sirdar — — —	—	2	4 3/4
	3	14	4 3/4
" Straw, Contingencies, &c. —	—	7	7 1/4
Rs —	4	6	—

" 6,700 Bullocks, &c. at 8 12 — — — — —	7,03,500	— —
" Which have been reduced to 4,074, at 8 12 — — —	4,27,770	— —
" Saving already made by the Reduction of the Number — —	2,75,730	— —
" Further Saving that will be made by reducing the Expence of feeding " as above, and by obtaining a Surrender of the Contract, and tranſact- " ing the Buſineſs by Agency, viz.		
" 4,074 on a War Eſtabliſhment by Contract, Sa Rs A. P.		
" at 8 12 — — — — — 4,31,251 9 6		
" 4,074 at 4 6 — — — — 2,15,625 12 9		
" Saving — — —	2,15,625	12 9
" Total Saving — — Rs	4,91,355	12 9

" The Bullocks are now well ſeaſoned and trained, and the Number of Sirdars and Drivers can " readily be augmented on an Emergency.

" Tirroot and Dunbanga are the only Places where ſuch Bullocks can be had; they coſt there " from 20 to 30 Rupees each, and about as much more before they are trained and fit for " Service.

" My Profits during the War, have only been 15 ℔ Cent. on the Amount diſburſed for vic- " tualling the Europeans, and furniſhing Camels and Bullocks, which was not adequate to the " Riſk, for if the Marattas had entered the Provinces, I muſt have been ruined. Theſe Profits " are alſo liable to a Reduction on Account of bad Debts, of which I now have Rupees " 1,00,213.

" I was under the Neceſſity of giving my Agents unlimited Credit, and as their Accounts could " not be furniſhed regularly, I often had no Check upon them until it was too late; ſuch Incon- " veniences do not ariſe in Time of Peace.

" I ſhall with Pleaſure attend when called, to give any Explanation that may be de- " ſired.

" My Reaſons for taking the Liberty of ſtating theſe Facts to you, are on Account of the " very unjuſt Clamour which has been raiſed againſt the Bullock Contract, the Profits of which " have been exaggerated in a moſt incredible Manner.

In

" In order to be certain that my Calculations were right, I have desired my Book Keeper to " compare them with the Contract Books, and he will certify hereunder that they are exact.

" I have the Honor to be, most respectfully,
" Honble. Sir,
" Your most obedient and most
" humble Servant,
(Signed) " John Fergusson.

" Calcutta,
" the 3d February 1784.

" P. S. The Calculation of R^{s} 4 6 ℔ Bullock, is made on a Supposition that they remain at " fixed Stations; when on March, One Seer more Gram should be allowed, and a Driver to every " Two Bullocks; this will be a temporary Charge, which cannot now be estimated, and will " seldom be incurred in Peace.

(Signed) " John Fergusson.

" I do hereby certify, that I have examined the Contract Books, and find that the afore-men- " tioned Calculation, regarding Profits and bad and doubtful Debts, are just.

(Signed) " Wm Fairlie.") (*a*) §

The Managers for the Commons stated, they should next produce the Statement of Mr. Fergusson's Claims on giving up his Contract, as they were admitted by the Board of Inspection; Mr. Hastings's Proposals for establishing an Agency, after having thus purchased the Contract from the publick Contractor; and his Recommendation of Sir Charles Blount for that Agency.

Read, a further Extract from the same Consultation, beginning at Page 259 of the same Book.

" The Secretary circulated the following Statement of Mr. Fergusson's Claim in Consequence of the Adjustment proposed; and on the same Day received the Governor General's Minute, proposing a Plan to conduct the Business, in future, by Agency, and recommending Sir Charles Blunt to be appointed to that Office.

" STATEMENT of Mr. Fergusson's Claims, as admitted by the Board of Inspection.

		Sa Rs.	Curt Rs.
1st,	Difference 'twixt the Price of Rum and Arrack, as already allowed by the Board's Resolution of the 23d August 1781,	—	45,410
2d,	4,074 Bullocks, at 40 Sa Rs each, is — — —	1,62,960	1,89,033
3d,	142 Camels, at 250 Sa Rs Do — — — —	35,500	41,180
4th,	18 Breaking-in Carriages, at 800 Sa Rs Do — —	14,400	16,704
5th,	Estimated Value of the Buildings — — — —	15,000	17,400
6th,	Compensation for Surrender of the Contracts at the Expiration of the present Month — — — — —	60,000	69,600
	Total —	Sa Rs 2,87,860	Ct Rs 3,79,327

" 18th Febr 1784. (Signed) " Will. Bushby, Secr."

" 17th Febr 1784.

" The Governor General begs Leave to deliver in the Plan mentioned in his Minute of the * for conducting, by Agency, the Business of the late Army Contract; and for this Purpose recommends, that a Company's Covenanted Servant be appointed Agent for supplying and feeding Bullocks, &c. and for victualling the Europeans on the Bengal Establishment, under the following Regulations:

* Sic in Orig.

" 1st, That he shall receive the Stock of the late Contractor, as stated in his Letter dated the 26th January.

" 2d, That his Expences for feeding, &c. be limited not to exceed the following Rate:

2 Seer of Gram ℔ Bullock — —	Rs 2	8
Picket Ropes, &c. — — —	—	8
$\frac{1}{6}$ of a Driver — — — —	—	12
$\frac{1}{40}$ of a Sirdar — — — —	2	$4\frac{3}{4}$
Straw, Contingencies, &c. — —	7	$7\frac{1}{4}$
	Rs 4	6

(*a*) Vide Appendix, N° CXCVI.

" N. B.

" N. B. On March, One Driver to be allowed to every Two Bullocks, and Three Seer of Gram inſtead of Two Seer, which is taken from the Peace Eſtabliſhment, as ſtated in the Contractor's Letter to the Governor General, dated 3d February 1784; but to be reduced as much as poſſible below this Rate, to effect which, a Reliance muſt be placed on the Fidelity and Activity of the Agent.

" As to the Camels it is propoſed, that they ſtill be reduced as ſoon as it can conveniently be done, and till the Reduction takes Place, the Agent to be allowed 16 Rupees ℔ Month for feeding them and for all other Charges attending them.

" That the conducting of the Agency be ſubject to all the Controls and Checks, regarding Muſter and Feeding, eſtabliſhed in the late Contract, with this Addition, that the Commanding Officer at each Station ſhall grant a Certificate monthly of the Market Price, in his Camp or Cantonment, of ſuch Articles as regard the Agency, and that this accompany the Monthly Account of the Agent: And whenever it ſhall appear from this Certificate, that the Price of Gram ſhall exceed Twenty-four Seer for One Rupee Sicca, in that Caſe alone ſhall a proportionable Exceſs above the limited Rate for Bullocks be allowed in the Accounts of the Agent. And in order to prevent the Swelling of Office Charges for Management, &c. at the Preſidency and ſubordinate Stations, it is propoſed, that the Agent be allowed a Commiſſion of 10 ℔ Cent. for himſelf, and $7\frac{1}{2}$ ℔ Cent. upon the actual Diſburſement for all Charges of Agents and Office whatever throughout the whole Army, which, according to the foregoing limited Rate, will amount to R^s 21,388 8 for himſelf, and 16,041 for all his Charges. And in order to encourage him to procure every Article at the cheapeſt Rate poſſible, the Governor General further propoſes, that a Premium of $\frac{1}{3}$ be granted to the Agent out of the Saving that may be effected upon the limited Rate; for Example, if the Expences can be reduced to 4 R^s inſtead of 4 6 each Bullock, the Premium to be paid out of the Saving to the Agent will be as follows:

4,074 at R^s 4 6 ℔ M^o is ℔ Ann.	—	R^s 2,13,885
4,074 at R^s 4 ℔ M^o is ℔ Ann.	—	1,95,552
Saving		R^s 18,333
$\frac{1}{3}$ of which is to go to the Agent, being		R^s 6,111

" With Regard to the Agency for the Victualling Contract, it no further regards the Company, than to ſee that Juſtice be done to the Men. The Payment of this Agency, is a Stoppage of the Batta allowed to the Men; that is to ſay, the Agent ſhall receive the Batta, being 10 Sonaut Rupees on full, and 5 Sonaut Rupees on Half Batta, and furniſh the Europeans with the ſame Articles as were ſupplied by the late Contractor; and in lieu of all contingent Charges for Office Sircars, Writers, or Tranſportation of Proviſions and Liquor, the Agent ſhall be allowed a Commiſſion of 7 2 ℔ Cent. on the Amount of the Batta Rolls, which will come to about R^s 18,000 ℔ Annum.

" With reſpect to the paſſing and Payment of the Bills of the Army Agent, it is propoſed to be as follows: The Agent ſhall procure Muſter Returns of the Cattle at all the different Stations of the Army monthly, which ſhall ſpecify the Number of Bullocks and Drivers at each Station, and be counterſigned by the Commanding Officer of the Corps, and the Commanding Officer of the Artillery, under whoſe Directions the Cattle ſhall be muſtered. The Price of Gram to be alſo certified in the Return. From the Returns ſo procured, the Agent ſhall form his Monthly Bill, which will of Courſe comprize the Whole of the Diſburſements for Bullocks, and which ſhall be paid by the Military Paymaſter General, provided he finds it to correſpond with the Returns, and which, with the Agent's Receipt for the Amount of his Bill, ſhall be ſufficient Voucher to the Commiſſary General for paſſing the Charge in the Military Paymaſter General's Accounts.—As to the Bills for victualling the Europeans, Batta Rolls ſhall be made out at each Station of the Army for each Company, which ſhall ſpecify the Number of Europeans, the Number on Full and the Number on Half Batta, with the Reaſons for receiving Full Batta. The Batta Roll to be ſigned by the Captain or Commanding Officer of each Company, who ſhall be anſwerable to the Paymaſter for any Retrenchments that may be made from it. The Batta Roll ſhall be diſcharged by the Military Paymaſter of each Station, and ſhall be ſent with his Monthly Accounts to the Commiſſary General, and the Batta Roll, counterſigned as above-mentioned, ſhall be ſufficient Vouchers for admitting the Charge in the Paymaſter's Accounts.

" The Agent to be furniſhed with Copies of all Orders iſſued by the Board, regarding the Bullocks and victualling the Europeans.

(Signed) " W. Haſtings.

" The Governor General propoſes Sir Charles Blunt for the Agency." (*a*)

(*a*) Vide Appendix, N° CXCVI.

Read,

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 267 of the ſame Book.

" 18th February 1784.

☞ [" Mr. Stables.—I wiſh to convince the Court of Directors, that there is a Diſpoſition in this Government to ſhew Obedience to their Orders, and I am determined that their Orders ſhall be the only Rule and Guide of my Conduct.

" With reſpect to the Propoſition now ſent in Circulation for ſupplying the Army in future by Agency, I poſitively object to it, and will agree only to ſuch Meaſures as are ordered by the Court of Directors, I mean by Advertiſement; which is the only Mode of aſcertaining the actual Expence, and the moſt beneficial to the Company, and perhaps no other will ever ſatisfy our Superiors that our Meaſures are not Jobs, or the Effect of private and ſecret Influence."] ☜

§ (" With Reſpect to the Contractor's Claim now before me, amounting to R^{s} 3,79,327, " and the Adjuſtment of his Account, as I have already diſapproved of that Contract in a " different Station, it cannot be expected that I will counteract that Opinion, or make myſelf " anſwerable. I muſt therefore leave it to thoſe Gentlemen who were Parties of the Contract to " cloſe it, and to be themſelves reſponſible for the Conſequences of this Deviation from the Court " of Directors Orders.

(Signed) " John Stables.") (*a*) §

The Managers for the Commons ſtated, they ſhould next proceed to read a Paragraph of a Letter from Mr. Haſtings to the Court of Directors, ſince he left the Government, in which He himſelf condemned this Mode of conducting the Buſineſs by Contract, as always injurious to the Service.

Then Mr. Hudſon was again called in, and produced " a Letter from Warren Haſtings Eſquire, to the Court of Directors of the Eaſt India Company, dated Cheltenham, 15th Auguſt 1785."

The ſame was read, and is as follows:

" To the Honourable Court of Directors for the Affairs of the Honourable United Company of Merchants trading to the Eaſt Indies.

" Cheltenham, 15th Auguſt 1785.

" Honourable Sirs,

§ (" I have had the Honour to receive from your Aſſiſtant Secretary a Letter, incloſing Copies " of a Letter from Major General Archibald Campbell, in which he propoſes a Plan for reform- " ing the Military Eſtabliſhment in India, and of the ſeveral Papers accompanying the ſame; and " informing me of your Commands to ſubmit to you my Sentiments thereon.

" I ſhould have ſhewn more Alacrity in the Performance of this Duty, had I not found it, " on Trial, more difficult than on the firſt Suggeſtion of the Subject I had expected. It is eaſy " to expreſs Approbation or Difference of Opinion. But neither could I content myſelf, in an " Addreſs to your Honourable Court, with a Reply yielding ſo little of ſubſtantial Information, " nor could I enter on the Examination of Arrangements recommended by an Authority which " I greatly reſpect, without feeling ſo much of perſonal Bias, as at leaſt to wiſh that I might find " them generally to accord with my own Sentiments, and where I differed, to differ on Grounds of " the cleareſt Conviction, and on ſuch as I could juſtify to General Campbell himſelf, by Proofs " deduced from the Application of his own Principles, or the Nature of the Service; but this " was rendered impoſſible by the Scantineſs of the Materials with which I was provided. The " Utility and Expediency of his Plans can only be ſeen in a Compariſon of them with the " Eſtabliſhments which are in actual Uſe, and with ſome new Arrangements made by your " Honourable Court, to which he alludes as the Models to which he has accommodated his own; " but I have not Poſſeſſion of the former, and the latter I have not yet ſeen; neither can I clearly " comprehend the Arithmetical Parts of his Eſtabliſhments for want of the intermediate Proceſs.

" For theſe Reaſons, my Remarks upon theſe Papers can be but incomplete, and will be chiefly " confined to Points of political, or merely official Relation.

" With reſpect to ſuch as appertain more to the Military Science, as your Honourable Court " will doubtleſs wiſh to gain the beſt Information where the beſt can be had, mine may be the " better ſpared, as there are Officers in England of the firſt Character for practical Merit, and of " recent Experience, to whoſe ſuperior Knowledge I ſhould myſelf have Recourſe for Materials to " direct my Judgement, were I yet in a Situation to require them; beſides, I may preſume that " your Honourable Court would heſitate to direct the Obſervance of any fixed and permanent

(*a*) Vide Appendix, N° CXCVI.

" Syſtem,

" Syſtem, however formed or recommended at Home, without allowing your Governments " Abroad to offer their Objections or Amendments for your final Determination upon the " Whole; for I muſt take the Liberty to borrow a Phraſe from General Campbell himſelf, and " to apply it a little more extenſively than he has done, by ſaying that all Men are ſpeculative, let " their Rank or general Knowledge be what it will, with reſpect to their Ideas on a Subject of ſo " undeterminate a Nature as the Military Syſtem of ſo remote a Service, without the Warrant of a " tried, long, ſucceſsful, and that local Experience.

" Conformable to the premiſed Deſign I ſhall deliver my Obſervations under the Two Heads " of Expence—and Diſpoſition of the Forces of the different Governments of India.

" Firſt, of Expence.—From the Epithet of " Peace" prefixed to the Titles of the Eſtabliſh- " ments propoſed by General Campbell, I preſume, notwithſtanding one Paragraph in the " Letter, in which he mentions the Battalions as being completely equipped for Service on the " the Plan recommended by him in Detail, and which therefore ſeems to imply a Proviſion made " for every poſſible Exigency which can produce Expence, that it could not have been his Inten- " tion to include every Article of Diſburſements which would be required for the Corps of the " Army acting in the Field; ſome are contingent, and diſcretional, and muſt therefore neceſſarily " be excluded from every Plan of eſtabliſhed Expence.—But there are many others which have " been eſteemed indiſpenſable, and which, though reducible to fixed Numbers and Rates, and " allowed in every paſt Eſtabliſhment, are omitted in his; ſuch, for Inſtance, are Camp Equi- " page, victualling of the Europeans, Draft and Carriage Bullocks, Elephants for the Carriage of " Tents, Boats for the Service of Bengal, Bildars, Cooleys, Camp Colourmen, Laſcars for pitch- " ing Tents, and other Neceſſary Duties in the Field, Sircars (or Native Clerks for keeping the " Accounts of the Native Battalions), Carpenters, Smiths, Filemen, Braziers, and perhaps other " Artificers attached to the Corps of Sepoys, Allowances for petty Stores; Horſes for the firſt " Conſtruction of the Cavalry, which for Madras alone would require * Nineteen Lacks of Ru- " pees; Horſes annually purchaſed, to replace thoſe loſt by Death, Age, and Caſualties, which " may be eſtimated at One-fifth of the firſt Coſt; Saddles and other Accoutrements, Siſes (or " Grooms) and Graſs Cutters; Officers on the General Staff, ſuch as an Adjutant General, if " allowed, Quarter Maſter General, Aides-de-Camp, Perſian Tranſlators, Paymaſters, with their " Offices, and others whom I cannot enumerate.

* $\frac{1084 \times 600}{18,50,400}$

" I have taxed my Memory with the Production of this long Catalogue, which will yet be " found incomplete, for Two Reaſons: Firſt, becauſe I conceive that it may be at this Time of " dangerous Conſequence to the Company to entertain too ſanguine Expectations of œconomical " Reformations, and to build their publick and pledged Eſtimates upon them; and, ſecondly, " becauſe the Diſappointment which muſt inevitably follow ſuch Promiſes, might prove highly in- " jurious to the Credit and Intereſts of your Servants Abroad.

" I humbly apprehend that there is nothing wanting to complete the Retrenchments already " made in Bengal, for I cannot ſpeak of the other Preſidencies, but an effective Authority to con- " troul the Paymaſters and Commanding Officers of Detachments, to compel them to the Obſer- " vance of their reſpective Duties, as they are particularly deſcribed and diſcriminated in the Re- " gulations of 1781 (I think in the Month of May of that Year,) to compel the Paymaſters to " deliver their Monthly Accounts within the preſcribed Periods; to eſtabliſh an Office of imme- " diate Audit; and to replace the Firſt Military Charge in the Hands of the Governor himſelf, " which, ſince the Year 1774, poſſeſſes it only in the Name.

" Secondly, Of the Diſpoſition of the Forces of the different Governments of India, of 70,919 " Men, compoſing the Total Number of all the Military Eſtabliſhments of the Three Preſidencies, " General Campbell propoſes to allot only 29,038 to Bengal, and 31,720 to Madras; and the " Reaſon for this Inverſion of the Proportion aſſigned to the Defence of Two Places ſo very different " in their Value, is given in the following Words: ' It is abſurd to proportion the Number of " Troops at the different Preſidencies to their reſpective Revenues; the Strength and Compoſition " of each Army ought to be regulated according to the Importance of their reſpective Situations " for carrying on War againſt the common Foe. It is only on ſuch Principles that the Company's " Poſſeſſions in India can obtain a permanent and ſubſtantal Security; that the Native Princes of " Hindoſtan, who know the Value of their own Intereſts, can be taught to reſpect and cultivate " the Friendſhip of the Britiſh Nation; and it is only by a Reſpect ſo acquired, that the Intrigues " of the other European States can be effectually diſcouraged in that Quarter of the Globe.'

" It was natural that a Mind ardent to diſplay its own Worth, and conſcious of its Integrity, " ſhould ſeek to enlarge the Sphere of its Employment. The Reaſoning is ſo ſtrong, and the " Experience of many paſt Years would almoſt juſtify the Diſtinction aſſumed in Favour of the " Government of Fort St. George, ſince, in Effect, it has been more frequently engaged in Wars, " and its Security more endangered by them, than either of the other Two Preſidencies, though it " has never at any Time employed ſo great a Number of Men as are required by the propoſed " Eſtabliſhment; and there was a Time, nor that far remote, when it felt, even with a Seaſon of " War ſubſiſting, the Weight of a ſmaller Force too great for its Ability, or Means of conducting " it; and the ſame Cauſes which have exiſted in the natural Order of Things, are as likely to pro- " duce the ſame Effects, and to require the ſame Proviſion for them hereafter: Nor will the Pre- " ſidency of Bombay want Arguments to aſſert the ſame Pretenſion, on the Principle of appor-

" tioning the Number of Troops on its Eſtabliſhment to the Importance of its Situation for carry-
" ing on War againſt the common Foe. In Effect, ſuch Arguments have been urged by the Pre-
" ſident and Select Committee of Bombay, even to your Honourable Court, if I am not miſtaken
" in my Recollection of a Letter written by that Committee to the Governor General and Council
" of Bengal, dated the 28th January 1784; and their Object was to prove, that Bombay ſhould
" be the Capital Government, the greateſt Portion of the Company's Military Strength ſtationed
" there, for the Purpoſe of ſupporting its Syſtem of Policy, and providing againſt future Wars,
" and the Revenues remitted thither for its Maintenance.

" In like Manner, were you to require my Opinion upon the Preference which ſhould be given
" to either of the Three Preſidencies for the Eſtabliſhment of the Firſt Military Station, I ſhould
" recommend Bengal, not becauſe it lies moſt convenient to annoy the common Enemy, whatever
" may be implied by that Term, for I know no Enemy that the Company has, or is likely to have,
" unleſs they provoke one, but becauſe it is the only one of the Company's Poſſeſſions that is
" worth either the Charge or Hazard of its Defence; yet if the Principle of arming a barren In-
" cumbrance, with an expenſive Proviſion againſt eventual Wars, were admiſſible in Favour of
" either of the Two other Preſidencies, Bombay would certainly merit the Preference, from its
" Contiguity to the Maritime Poſts of the dreaded Enemy of the Carnatic, which are not only
" for that Reaſon the moſt acceſſible, but the moſt capable, if they ſhould fall into our Hands,
" of facilitating the Attack of his interior Poſſeſſions.

" My Opinion upon this Queſtion is ſhort, and will require little Proof to ſupport it.—If your
" Intereſts in Bombay and Madras cannot be maintained without ſuch expenſive Modes of De-
" fence, or if your general Intereſts muſt ſuffer by the Want of them, I heſitate not to pronounce
" that you hazard by far too much in keeping them; and that both were better abandoned, than
" that the only valuable Property that you poſſeſs ſhould be exhauſted and ruined for their Sub-
" ſiſtence. But the Caſe with Bombay is by no Means ſo deſperate: A very inconſiderable Force
" would be ſufficient to garriſon its Two principal Poſts of Bombay Caſtle, and Tanna on the
" Iſland of Salſette; and more I preſume it cannot need, as it is by its natural Poſition guarded
" againſt an Invaſion by Surprize, and not liable, for many Years to come, to be engaged in
" another War with the Marattas, the only Enemy that can be its Aggreſſor, while its Parent
" State is in Peace.

" It is not only by the Proviſion of a great Military Force that the Peace of a Country can be
" ſecured, or even its Operations in War conducted with Succeſs; it is poſſible to derive Weakneſs
" from an Accumulation of Strength exceeding the natural Means of maintaining it. More I for-
" bear to ſpeak concerning Madras, becauſe what I ſhould ſay might appear invidious; and you
" are already in Poſſeſſion of my Sentiments, not unrecently delivered, upon every Point of Diſ-
" cuſſion which can ariſe out of the preſent Subject.

" Concerning Bengal, I am of Opinion that by much too ſcanty a Proportion is allotted to the
" Corps of European Infantry and Artillery. Theſe, and the latter eſpecially, are the vital
" Strength of your Conſtitution, and the Seaſon of Peace is the Seaſon for recruiting them; there-
" fore their Peace Eſtabliſhments ſhould, as I preſume, be augmented to a Degree that might
" render them equal to any poſſible Exigency; for in War, judging by the paſt, I conclude that
" they muſt remain as the Peace has left them; nor ſhould I ſcruple to expreſs my Wiſh that
" Ten thouſand Men could be the Complement of thoſe Corps, and more than the Proportion of
" that Increaſe diminiſhed of the Native Infantry. In the mean Time, I beg Leave to ſubmit it as
" a Queſtion to be propoſed to thoſe who are better qualified by profeſſional Knowledge to reſolve
" it, Whether the general Service will not ſuffer leſs by attaching Native Artillery, on the Plan
" formed by Colonel Pearſe, to the Sepoy Corps, than by diſtributing the European Artillery Men
" in ſmall Numbers, under Non-commiſſioned Officers, to that Service, as recommended by Ge-
" neral Campbell? This is a Queſtion, under every Condition of that Corps, worthy to be well
" weighed, but moſt eſpecially at a Time when there are ſo few Men of that Deſcription to ſpare
" from the general Service, or from the collective Body, with which alone they can acquire or
" preſerve their Diſcipline, or retain their proper and regular Habits of Obedience. I offer no
" Opinion upon it of my own, though it will be inferred from the Manner of ſtating the Queſtion;
" but to One Objection which will probably be made to One Reſult of it, I will venture hardily to
" affirm, from my Knowledge of the Propenſities of the Natives of India, that One able French
" Officer will convey more uſeful Inſtructions to our Enemies, in the Artillery Practice, than Ten
" Battalions of Golandaz Deſerters.

" General Campbell's Obſervations on the Want of a ſtrong and effective Body of Cavalry, are
" conformable to the invariable Experience of your Service; yet I muſt expreſs my Doubts of the
" Expediency of keeping up ſo large an Eſtabliſhment of regular Cavalry for either Preſidency,
" unleſs Means can be found to raiſe and maintain a Number ſufficient for effective Service at a
" Coſt which the Company can afford, and (I might add) ſuch as ſhould be every Way fit for
" Service when tried. Hitherto all the Efforts of your principal Government have been ineffectual
" to reſtrain the Expence of the Cavalry within Bounds not enormous, to enforce an Adherence
" to the Rules of its Conſtruction, or to derive any real Service from it. I know too little of the
" preſent State of the Nabob Walla Jah, to be able to judge of the Expediency of truſting to him

" for Cavalry in the Time of Need; but for Bengal I would take the Liberty to recommend " occaſional Mercenaries, or other Irregulars, like the Candahar Horſe, which ſerved with ſuch " approved Fidelity and Spirit in the Campaign conducted by General Goddard. General Camp- " bell has juſtly appealed to the Experience of the late War in India for Proof of the Utility and " Neceſſity of employing Cavalry; yet this was not the only Defect which prevented your late " excellent Commander in Chief from availing himſelf of the Victories ſo often obtained over " Hyder Ally, whoſe principal Advantage conſiſted in the Goodneſs of his Draft Cattle: While " ours feebly dragged their Guns, and proceeded with frequent Halts, and the moſt tardy Move- " ments, Hyder's fled with Rapidity that eluded all Purſuit, becauſe our Infantry could not leave " their Artillery without the Hazard of loſing it, and of being themſelves cut off by the adverſe " Horſe. May it not be permitted to me to ſuggeſt, that if in this Inſtance more Attention had " been paid to the Purpoſes of the Service than to Œconomy, we ſhould not have had the " ſame Cauſe to complain of any other Want? For if our Draft Cattle had been equal to thoſe of " the Enemy, as they certainly might have been, it ſeems a neceſſary Conſequence, that, as our " Carriages are, from their Conſtruction, both of lighter and more eaſy Draft, they would have " exceeded the others in Speed, and rendered their Eſcape leſs practicable, from the decided Supe- " riority of our Troops over thoſe of the Enemy.") §

☞ [" I cannot omit this Occaſion to recommend, in the moſt earneſt Manner, the Proviſion of Draft Bullocks for the Service of Bengal, by Agency, with a limited Reſponſibility and liberal Confidence, rather than by Contract; aſſuring you, on the moſt decided Experience, that nothing can be more injurious to the Service than the latter, nor more extravagant than the loweſt Rates at which it has been hitherto undertaken.] ☞

§ (" I hope that no Expreſſion in the preceding Remarks will appear to reflect on the Judgment " of General Campbell, for which I have profeſſed, and do entertain, a very high Reſpect. I " have conſidered the Queſtions before me with an excluſive Regard to their Influence on your " Service; and if I have oppoſed his Opinions, I have alſo condemned my own upon one Sub- " ject, delivered at a different Period, and unaided by actual Trial; and for the reſt, the Senti- " ments which I have ſubmitted are little more than the Repetition of Declarations which I have " made on other Occaſions, either in Minutes of Conſultation, or in immediate Addreſſes to your " Honourable Court.

" Pardon me, Honourable Sirs, if my Zeal for your Service, and the ſuperior Concern which " I may be allowed to feel for the moſt eſſential Part of it, ſhould lead me a little beyond the " Bounds of my preſcribed Subject, to add, not my Opinion, but Affirmation, that to enſure the " Proſperity and Permanency of the Company, the Diſburſements of Bengal muſt be confined to its " own Services, with the Application of its ſuperfluous Revenue, and no more; to the Proviſion " of its own Inveſtment for the Subſiſtence of your Commerce, or more properly for the Means of " remitting to England what may be appropriated of its Tribute. No Country, without greater " artificial Sources of Supply than Bengal poſſeſſes, can ſubſiſt under the continued Preſſure of an " Expence not returning into its own Circulation; nor perhaps could any now exiſting on the " Face of the Globe bear ſuch Drains as have been made in this.

" I have the Honour to be, with the greateſt Reſpect,
" Honourable Sirs,
" Your moſt obedient and
" Moſt humble Servant,
" Warren Haſtings.") §

The Managers for the Commons ſtated, they ſhould next read a Paſſage from a Minute of Mr. Haſtings, already in Evidence on a former Charge, to ſhew a ſtrong Contradiction in Mr. Haſtings's Sentiments with Reſpect to the Subject of this Mode of Agencies in general.

Read, the following Extract from the printed Minutes, beginning at Page 280 of the ſame.

" I therefore move, that he be at the ſame Time inveſted with the Appointment of Agent for the Proviſion of all Boats employed for the Military Services of this Eſtabliſhment, with an Allowance of a Commiſſion of 15 ℔ Cent. upon all his Diſburſements in this Office; that the executive Charge thereof take Place from the Period of the Expiration of Colonel Morgan's preſent Contract; and that until that Time, and for Three Months following it, he be allowed to draw his preſent Allowance of 1,000 Rupees ℔ Month.

" I propoſe this Method in Preference to a Contract, becauſe I am convinced, from Experience, that the Service will be better performed by this Alteration, although it is liable to one material Objection in its natural Influence on his Expences. This is a Defect which can only be corrected by the Probity of the Perſon who is entruſted with ſo important a Charge; and I am willing to have it underſtood, as a Proof of the Confidence which I repoſe in Mr. Fowke, that I have

have propoſed this Appointment, in Oppoſition to a general Principle, to a Truſt ſo conſtituted." (*a*)

The Managers for the Commons ſtated, they ſhould next proceed to give in Evidence a Report of Sir Charles Blunt, the Agent, from a Conſultation of the 31ſt January 1785, to ſhew the bad Condition of the Cattle when the Contract was purchaſed from Mr. Ferguſſon.

The Counſel for the Defendant objected, that this Conſultation could not be given in Evidence, not having been either ſigned or tranſmitted by Mr. Haſtings.

The Houſe informed the Counſel for the Defendant, that if it appeared Mr. Haſtings was preſent, and did not object to the Proceedings at the Time, it would be admiſſible Evidence.

The Counſel for the Defendant waived their Objection.

Read, from Book 219, already delivered in, the following Extract of a Conſultation of the 31ſt January 1785, beginning at Page 768 of the ſame Book.

" Fort William, the 31ſt January 1785.

" At a Council; Preſent,
The Honble. Warren Haſtings Eſq.
John Macpherſon, and John Stables, } Eſquires.

" Further Regulations for * Feeding and Victualling Agency. * Sic in Orig.

" N. B. The Agent begs Leave to obſerve, that having had no Authority to diſpoſe of the lean, old, deceaſed, and galled Cattle, and to ſupply their Places with freſh young Stock, it cannot be expected their general Appearance ſhould be improved, or indeed ſo good as formerly, eſpecially as the preſent Stock of Cattle conſiſts moſtly of ſuch as have been at Work Five or Six Years, a very ſmall Number of them being leſs than Ten or Twelve Years old. Cattle for the Uſe of the Army are uſually bought in at Four of * Five Years old, and may continue ſerviceable till Ten or Twelve. Suppoſing them to laſt even Ten Years, One Tenth Part of the whole Stock muſt neceſſarily be renewed annually, and the Omiſſion of ſuch Renewal will, of Courſe, give to the Whole an Appearance of Age and Decline. * Sic in Orig.

" As it may poſſibly be remarked, that the Expences of the Agency have much exceeded the Calculation, the Agent deſires to point out, that the Exceſs will be ſeen to ariſe from the uncommon high Price of Gram. At ſeveral of the Stations it does not exceed the Allowance of 4 R^{s} 10 An^{s} ℔ Bullock, and at ſome it is under, unleſs when on Service; and there can be no Doubt when Gram becomes cheap, the Expences will be generally under the eſtabliſhed Rate of Allowance. Regulation for the Agency.

(Signed) " Charles Wm Blunt, Army Agent. (*b*)

(And at the End of the Conſultation)

" John Macpherſon,
John Stables."

The Managers for the Commons informed the Houſe, they ſhould purſue the Courſe before adopted, and defer giving Evidence of the Account of the Loſs on theſe Contracts and Agencies till the End of the Article; and therefore they ſhould now proceed to that Part of the Article which charges Mr. Haſtings with having granted to Sir Eyre Coote Allowances contrary to the Orders of the Directors, and having broken the Treaty with the Vizier, by charging him with thoſe Allowances, over and above the Subſidy he had ſtipulated to pay: For which Purpoſe they ſhould firſt produce the General Order of the Court of Directors to the Governor General and Council, with Reſpect to the Salary of the Commander in Chief.

(*a*) Vide ſupra, P. 280. (*b*) Vide Appendix, N° CXCVII.

Read, from Book 58, already delivered in, the following Extract of Inſtructions from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, 29th March 1774, beginning at Page 59 of the ſaid Book.

* Sic in Orig. † Sic in Orig. § Sic in Orig. ‡ Sic in Orig.

" We hereby direct that * Commander in Chief of the Company's † in India be permitted when in Bengal, to enjoy the Houſe in Calcutta uſually aſſigned to and occupied by the ſuperior Military Officer of our Troops in that Province, and that when our Commander in Chief ſhall be ſent upon the Company's Service to any of our other Preſidencies, an Houſe, ſuitable to his Rank, be likewiſe aſſigned for his Uſe during his Reſidence at ſuch Preſidency, and that there be paid to him the Sum of Six thouſand Pounds Sterling per Annum, in full for his Service § Commander in Chief; and in lieu of Travel ‡ Charges, and of all other Advantages and Emoluments whatever, except his Salary of Ten thouſand Pounds per Annum eſtabliſhed by Law, and ordered to be paid him as One of the Council at Fort William in Bengal.

(Signed at the End of the Inſtructions)

" Edwd Wheler,
John Harriſon,
John Woodhouſe,
Samuel Peach,
Fred^k Pigou,
Daniel Wier,
Wm James,
T. B. Rous,
George Cuming,
Joſeph Sparkes,
Pet. Laſcelles,
Chas Boddam,
Jno Michie,
Chas Chambers jun.
R^d Hall,
John Smith,
George Tatem."

The Managers for the Commons ſtated, they ſhould next read a Paragraph from the Directors General Letter in 1778, which went out with Sir Eyre Coote, directing that he ſhould receive the ſame Pay as General Clavering had received.

Read, from Book 221 already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated 7th May 1778, beginning at Page 374 of the ſame Book.

5. " It is our Pleaſure, and we hereby direct that Lieutenant General Sir Eyre Coote do receive the ſame Pay as Commander in Chief of our Forces in India as was received by Lieutenant General Sir John Clavering; and likewiſe that he do enjoy all ſuch Advantages reſpecting an Houſe for his Reſidence at Calcutta, or at any of our other Preſidencies, as are directed to be allowed to our Commander in Chief in the 60th Paragraph of our Inſtructions to our Governor General and Council, dated the 29th Day of March 1774.

" We direct that the Salary of Ten thouſand Pounds per Annum, which will be payable to Sir Eyre Coote as One of the Members of our Council at Fort William in Bengal, is to take Place and commence upon and from the Day of his Embarkation from Great Britain; and it is our Order, that the Pay of General Coote as Commander in Chief of our Forces in India, do commence from the Day of his Arrival at any of our Settlements in India; and that it be iſſued from our Bengal Treaſury in the Manner directed in the Caſe of General Clavering.

(Signed at the End of the Letter)

" London,
the 7th May 1778.

" Wm Mills J^r,
Charles Boddam,
Samuel Peaſh,
Thos Cheap,
G. Tatem,
R^d Hall,
Robt Gregory,
Jno Woodhouſe,
G. Wombwell,
Wm James,
Ben. Booth,
Joſeph Sparkes,
J. Purling,
Jno Mitchie,
Richd Becher,
W. Devaynes,
L. Sulivan."

The Managers for the Commons informed the Houſe, they ſhould next give in Evidence the Propoſitions made by Sir Eyre Coote in Council on the 12th of April 1779, ſoon after his Landing; and the Propoſitions of Mr. Haſtings at the ſame Council, with reſpect to the Amount of the Eſtabliſhment to be given to the Commander in Chief.

Read, from Book 434, already delivered in, the following Extract of a Conſultation of the 12th April 1779, beginning at Page 377 of the ſame Book.

[" Fort

☞ [" Fort William, the 12th April 1779.

" At a Board of Inſpection; Preſent,

The Honourable Warren Haſtings Eſquire, Governor General, Preſident;

Richard Barwell, Philip Francis, } Eſquires;

and

Lieut. Gen. Sir Eyre Coote, K. B.

Mr. Wheler indiſpoſed.

" Read, and approved the Proceedings of the 8th inſtant.

" Read, the following Propoſitions of Lieutenant General Sir Eyre Coote, referred from the Council to this Department.

Sir Eyre Coote's Propoſitions, and Allowances drawn by General Stibbert.

" Propoſitions from Lieutenant General Sir Eyre Coote, referred to the Board of Inſpection.

" 4. That the 5½ Shares of the Revenue do devolve upon Sir Eyre Coote as Commander in Chief, from his Arrival at Fort William on the 23d March, and that General Stibbert do only ſhare as eldeſt Colonel from that Time.

" 5. That the 3000 Rupees per Month, lately granted to General Stibbert for Contingent Expences in the Field, do devolve on General Coote from the 31ſt of March as Commander in Chief.

" 6. That the 16000 Rupees per Annum for ſecret Intelligence do devolve on General Sir Eyre Coote from the 31ſt of March.

(Signed) " W. Bruere,
Acting Secy."] ☞

§ (" Sir Eyre Coote delivers in the following Minute.

Sir Eyre Coote's Minute on the Subject.

" The Reference I made to the Board on the Subject of General Stibbert's Allowances, which " exceed mine by 82,750 Rupees per Annum, proceeded from an Idea that they were granted to " him as Commander in Chief under this Preſidency; and as on my Arrival at Fort William he " could be no longer conſidered in that Capacity, whatever he drew under ſuch a Denomination, muſt neceſſarily be diſcontinued to him.

" An Examination of the Minutes of Council has rendered me Maſter of the ſeveral Reaſons " aſſigned for granting him thoſe Allowances; and my Reſearches on this Occaſion have led me " alſo to a Knowledge of the Sentiments which have been expreſſed by the Members of the Board " in general, reſpecting the Inſufficiency of the Salary allowed by the Court of Directors to their " Commander in Chief in India.

" From a long Experience of the Service, I am thoroughly convinced of the Juſtice of this " Opinion, and I am equally certain, that the Court of Directors never meant I ſhould ſuffer " in my private Fortune by carrying on the Public Service.

" You will pleaſe therefore, Gentlemen, to adopt ſuch Meaſures as may prevent any unneceſſary Expence from falling upon the Company, and which will at the ſame Time enable me " to execute the Duties incumbent upon me as their Commander in Chief, to viſit the ſeveral " Stations of the Troops, or to take the Field, if neceſſary, without involving myſelf in Expences " which I ſhould be unable to ſupport.

(Signed) " E. Coote.") §

☞ [" Mr. Francis.—I have prepared my Opinion on the Commander in Chief's Propoſitions, and beg leave to lay it before the Board.

Mr. Francis's Opinion on Sir Eyre Coote's Propoſitions.

" My Opinion on the Amount of General Stibbert's Allowances, is very fully ſtated in the Conſultation of the 14th of May 1778; and I adhere to it in every Particular. I think they ſhould now be reduced to the Eſtabliſhment at which they ſtood during General Clavering's Command. This Eſtabliſhment was formally referred to the Company, and confirmed by them in their Letter of the 24th of December 1776, Paragraph 49. I cannot conſent to any Variation from the Allowances fixed for and enjoyed by General Clavering, without the Company's Orders. The very laſt which they have given us, and which Sir Eyre Coote brought out with him, direct, 'that 'Lieutenant General Sir Eyre Coote do receive the ſame Pay as Commander in Chief of their 'Forces in India, as was received by Lieutenant General Sir John Clavering.' If all the Allowances ſtated in the Propoſitions are agreed to, the preſent Commander in Chief will receive Eighty-two thouſand two hundred Current Rupees per Annum more than was received by his Predeceſſor.

(Signed) " P. Francis."] ☞

§ (" Mr. Barwell.—As I expect in a ſhort Time the Orders of the Company on the additional " Allowances drawn by Brigadier General Stibbert, there does not appear any urgent Neceſſity " to proceed in the Regulation of ſuch Allowances, until the Arrival of the Company's Inſtructions. The Court of Directors, in fixing the eſtabliſhed Salary for a Commander of all their " Forces in India, have expreſſed it as a Salary: They, therefore, certainly intended it to be " drawn free and diſburthened from all Diſburſements to be incurred in the immediate Execution " of their Military Service; they certainly did not intend to put the Commander in Chief of all " their Military Forces upon a meaner Eſtabliſhment than the Provincial Commander in Chief at

Mr. Barwell's Minute on the Subject.

" the other Preſidencies, or General Stibbert, whoſe Allowance (the 49th Paragraph of their " Letter of the 24th December 1776) is reckoned at 82,000 Rupees. Theſe Facts are ſo very " ſtriking, that I cannot doubt of our having full Authority to regulate an Eſtabliſhment for Sir " Eyre Coote, while in the Field, as may be ſuitable to his high Rank, and bear ſome Proportion " to the Allowances made to the ſubordinate Field Officers of this Government. I am for the " Queſtion, that a Field Eſtabliſhment be formed for Lieutenant General Sir Eyre Coote, Com- " mander in Chief of all the Company's Forces, while in the Field.

Governor General's Anſwers to Sir Eyre Coote's Propoſitions.

4. " Governor General.—The Allowance of $5\frac{1}{2}$ Shares of the Commiſſion on the Revenues was " not an Emolument annexed to his Station, but a Bounty ſpecially and perſonally granted to " General Stibbert, by the Orders of the Court of Directors, in the 31ſt Paragraph of their " General Letter of the 16th April 1777. It cannot therefore be taken from him, but by the " ſame Authority.

5. " The Allowance of 3,000 Rupees ℔ Month for contingent Expences in the Field, was " granted to General Stibbert by a ſeparate Act of this Board: Though their Reſolutions upon " this Subject have been various, yet the Opinions of the different Members reſpecting the Neceſ- " ſity of ſuch an Allowance, have been generally the ſame, as may be ſeen by the Proceedings of " the Board of the 29th February 1776, when this Subject was firſt brought under the Conſidera- " tion of the Board, and for other Reaſons rejected. For the Truth of this, I appeal particularly " to the Opinions of General Clavering and Colonel Monſon.

" This was never meant as an Allowance annexed to the Station of Commander in Chief, for " when it was firſt propoſed, General Stibbert was not conſidered as inveſted with that Character, " but to defray the unavoidable Expences attendant on the Command in the Field.

" As the Reſolution of the Board upon this Subject has been long ſince referred to the Court " of Directors, with another relative Circumſtance which muſt force their Attention to it, and " draw from them a clear Deciſion upon it; and as that Deciſion may be expected with the firſt " Diſpatch of the Seaſon, I think it would be improper and irregular to make any Alteration in it " at this Time.

6. " I do not recollect any Order which authorizes General Stibbert to draw a fixed Sum for " ſecret Service. This is an Expence in its Nature variable; and the Court of Directors, in their " Letter of the 24th December 1776, have expreſsly directed that it ſhall not be fixed, but " that 'Colonel Stibbert,' (that is, the Commander in the Field) 'ſhall be paid ſuch Expences " as ſhall appear to us to have been neceſſarily incurred by him from Time to Time on that " Account.'

" I apprehend that this is a Service which will properly and excluſively belong to the Com- " mander in Chief, whenever his Situation will enable him to aſſume the Charge of it; and that " General Stibbert ſhould be accordingly directed to conform to his Orders reſpecting it.

Governor General's Minute and Obſervations on the incidental Charges of the Commander in Chief,

" Governor General.—Reſpecting the incidental Charges of the Commander in Chief, when he " is in the Field, or, which in this Point will be equivalent, when he is abſent from the Preſi- " dency, I ſhall premiſe the following Obſervations.

" 1ſt, The preſent Allowances, drawn by Brigadier General Stibbert, are as follow:

Pay, as Brigadier General, 750 l. ℔ Annum, or	—	7,500
Table Expences in the Field — — — —		60,000
Contingent Expences in the Field — — —		36,000
Commiſſion on the Revenue, Ct Rs 21,368, or	—	19,250
Sonaut Rupees	—	1,22,750

" I do not reckon the Allowance for ſecret Service, becauſe I regard it as a Publick Charge, " in which he has no Intereſt, or other Concern, than faithfully to diſburſe what he draws.

" 2d, Of the above Eſtabliſhment, the following Sums have been allotted to General Stibbert, " by the expreſs Appointment of the Court of Directors:

Pay, as Brigadier General — — — —		7,500
Table Charges in the Field — — — —		60,000
Commiſſion on the Revenues at that Time, as I find it computed in Mr. Francis's Minute of the 14th May 1778, Ct Rs 24,486, or — — — —		22,059
Sonaut Rs		89,559

" 3d, The Salary allowed to the Commander in Chief, by the fundamental Regulations of this " Government, is 6,000 l. ℔ Annum, or Rupees 60,000.

" 4th, This Sum is expreſſed to be in lieu of all Charges and Contingencies in the Field; but " the Court of Directors have ſince granted to their Firſt Colonel on this Eſtabliſhment, as I have

" remarked

" remarked above, an annual Stipend of 89,559 Rupees, a Sum exceeding that of the Commander " in Chief by nearly 50 ℔ Cent.

" But it cannot be ſuppoſed that the Court of Directors ever meant to invert the Order of the " Service, and that in ſo great a Degree, as to make ſo partial and unjuſt a Diſtinction between an " Officer, placed not by Selection, but by caſual Succeſſion, at the Head of a ſingle Eſtabliſh- " ment, and the Commander in Chief of all the Britiſh Forces in India. Therefore, when they " paſſed theſe Grants to Colonel, now General Stibbert, they virtually eſtabliſhed a Precedent for a " proportionate Augmentation of the Allowances of the Commander in Chief; for it cannot be " diſputed, that his unavoidable Expences in the Diſcharge of the various Duties annexed to his " Station, muſt greatly exceed thoſe of General Stibbert in a limited Command; and I will pre- " ſume, that had it been at the ſame Time propoſed to aſcertain the Allowances of the Commander " in Chief, they would have augmented them proportionably.")

§ ☞ ["On the premiſed Grounds I move,

" 1ſt, That the Commander in Chief be allowed to draw for the Expences of his Table, when he is in the Field, the Monthly Sum of 7,500 Sonaut Rupees, or 90,000 Rupees ℔ Annum. and Motions.

" 2d, That the Commander in Chief be authorized to draw for the following Eſtabliſhment, for himſelf and his Staff when he is in the Field, in lieu of travelling and all incidental Charges whatever when in the Field.

" ESTABLISHMENT for General Coote and his Staff.

12	Budgerows	—	—	—	150	—	—	—	1,800
30	Boats	—	—	—	40	—	—	—	1,200
10	Elephants	—	—	—	75	—	—	—	750
200	Coolies	—	—	—	5	—	—	—	1,000
28	Hircarrahs	—	—	—	7	—	—	—	196
1	Head ditto	—	—	—	30	—	—	—	30
1	Nail	—	—	—	15	—	—	—	15
50	Laſcars	—	—	—	8	—	—	—	400
1	Serang	—	—	—	20	—	—	—	20
2	Tindals	—	—	—	15	—	—	—	30
4	Hackeries	—	—	—	30	—	—	—	120
2	Gurrymen	—	—	—	$7\frac{1}{8}$	—	—	—	15
2	Writers	—	—	—	—	—	—	—	150
	Stationary	—	—	—	—	—	—	—	200
12	Horſes	—	—	—	—	—	—	—	360
							S[t] R[s]		6,326

" The Sums which I have annexed to the Eſtabliſhment, are added merely to ſhew the computed Amount of it, but are not taken from any correct Authority, nor meant to be a Part of the Propoſition; if this Motion ſhall be agreed to, it will be the Province of the Commiſſary General to affix the Rates of Expence to each Article, and I ſhall propoſe that they be referred to him for that Purpoſe.

" Mr. Francis.—On the Principles on which the Opinion I have already given was founded, I have much more Reaſon to object to the Eſtabliſhment now propoſed, than to the Commander in Chief's firſt Propoſitions; all the Allowances granted to General Stibbert, as Commander in Chief or otherwiſe, and which I have conſtantly objected to as exceſſive, are to be continued, and at the ſame Time a totally new Eſtabliſhment created, amounting to the Monthly Charge of Current Rupees 15,302 7 3, or 1,83,629 7 ℔ Annum. I am againſt the Motion."] Mr. Francis's Opinion on the Governor General's Motions.

§ ("Mr. Barwell.—I cannot concur in Opinion with Mr. Francis, that the propoſed Eſtabliſhment " is a double one. I do not underſtand theſe Allowances are to be drawn upon any other Occa- " ſion than that for which it is expreſſed, for the General's Expences in the Field. There is no " immediate Call, that I know of, upon the Commander in Chief to leave the Preſidency, and " before a Month is paſſed, we ſhall, in all Probability, receive the Orders of the Court of Direc- " tors, whether Brigadier General Stibbert is to draw the Allowances which he is now entitled to " receive, or whether they are to ceaſe. In either Caſe, the Neceſſity of the Eſtabliſhment now " propoſed for the Commander in Chief of all the Company's Forces is but a ſingle Eſtabliſhment; " nor is this a Monthly Eſtabliſhment, or if it was, is it of the Extent ſtated; it is an Eſtabliſh- " ment only to be drawn when the publick Service calls the Commander in Chief from the Preſi- " dency. That it will be drawn, I admit; but it is not probable it will be drawn through the " whole Year; beſides, it is a Charge limited to a ſpecific Sum, but does not neceſſarily include " the Expenditure of the whole Amount. I agree to the Propoſition.

" Governor General.—I agree to the Propoſition.") Mr. Barwell's Opinion thereon.

§ ["Reſolved, Governor General's Opinion,

Reſolutions and

[" Reſolved, That the Commander in Chief of the Company's Forces in India be allowed to draw, for the Expences of his Table when he is in the Field, the monthly Sum of Seven thouſand five hundred Sonaut Rupees, or Ninety thouſand Rupees per Annum.

" Reſolved, That the Commander in Chief of the Company's Forces in India, be allowed to draw for the following monthly Eſtabliſhment for himſelf and his Staff, when he is in the Field, in lieu of travelling and all incidental Charges whatever when in the Field:

12 Budgerows.	1 Head D°	4 Hackeries.
30 Boats.	1 Naib.	2 Gunymen.
10 Elephants.	50 Laſcars.	2 Writers.
200 Coolies.	1 Serang.	Stationary.
28 Hircarrahs.	2 Tindals.	12 Horſes.

Order to the Commiſſary General.

" Ordered, That this Eſtabliſhment be referred to the Commiſſary General, with Directions to affix the Rates of Expence to each Article ſpecified therein. (*a*)]

(Signed at the End of the Conſultation)

" Warren Haſtings,
Rich[d] Barwell,
P. Francis,
Eyre Coote."

The Managers for the Commons ſtated, they ſhould next give in Evidence certain Articles of the Treaty with the Vizier, ſhewing what the Vizier was bound to provide; in Contradiction to which Treaty Sir Eyre Coote's Allowances were afterwards charged upon him.

Read, from Book 11, already delivered in, the following Extract of a Conſultation of the 6th June 1775, beginning at Page 20 of the ſame Book.

" Fort William, the 6th June 1775.

Secret Dep[t] Tueſday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Gov[r] Gen[l], Preſident;
Lieu[t] General John Clavering,
The Honble. George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" Sixth. The Nabob Auſſup-ut-Dowlah, for the Aid and Aſſiſtance of the Engliſh Troops when ſtationed with him, ſhall pay Monthly from the Date of this Treaty, for the Charges of a Brigade, the Sum of Two Lacks Sixty thouſand Owd Sicca Rupees of the 16th Year, agreeable to the preſent Currency. If in future this Currency ſhould be aboliſhed, the Decreaſe or Increaſe of Batta ſhall be mutually given and received by the Parties. The Particulars of a Brigade are, viz[t]. Two Battalions or One Regiment of Europeans, One Company of Artillery, and Six Battalions of Sepoys.

" The aforeſaid Nabob ſhall, whenever the Engliſh Troops paſs the Boundaries of the Company's Provinces at his Requeſt, pay the ſtipulated Sum monthly from that Time until their Return to the above-ſaid Boundaries.

" Seventh. If the aforeſaid Nabob ſhall ever require the Aid and Aſſiſtance of the Engliſh Company for the Defence of any other of his Countries beſides thoſe above ſpecified, he will fix ſomething for the Company proportioned to the Service.

" The Engliſh Company, and all the Engliſh Serdars, engage to perform whatever Articles are now mutually ſettled, and in the future, during the Life of the Nabob Aſſuph-ut-Dowlah, they will never vary or depart from them. They will not in any Reſpect or Manner make Requeſts of any Thing new contrary to the Tenor of this Treaty.

" The Parties mutually ſwear, according to their reſpective Faiths, to abide by theſe Engagements, dated the 20th of Rubby-ut-Ewul 1189 of the Hegira, on the 21ſt of May 1775.

A true Tranſlation.

(Signed) " John Briſtow,
Res[t] at the Court of the N[b] of Owd.

(Signed at the End of the Conſultation)

" Warren Haſtings,
Geo. Monſon,
Rich[d] Barwell,
P. Francis."

(*a*) Vide Appendix, N° CXCVIII.

To

To ſhew that the extra Allowances to Sir Eyre Coote were charged on the Vizier, by Order of the Governor General and Council, in Contradiction to this Treaty,

Read, from Book 56, already delivered in, the following Extract of a Conſultation of the 1ſt November 1779, beginning at Page 117 of the ſame Book.

" Fort William, 1ſt November 1779. Rev. Depſ Monday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Govr Genl, Preſident;
Richard Barwell,
Philip Francis,
Edward Wheler, } Eſquires.

Sir Eyre Coote gone to viſit the different Stations of the Army.

" The Governor General moves, That the Reſident at the Vizier's Court may be furniſhed with an Account of all the extra Allowances and Charges of the Commander in Chief when in the Field, with Orders to add the ſame to the Debit of the Vizier's Account as a Part of his General Subſidy; the Charge to commence from the Day on which the General ſhall paſs the Carumaſſa, and to continue till his Return to the ſame Line. Governor General.

" Mr. Francis.—The ſpecific Amount of the Vizier's Subſidy is fixed by the Treaty, and cannot be encreaſed without his Conſent; it is true, we may extort from him the Sum now propoſed, or any other Sum we think proper; but it is againſt Juſtice, and I am ſure will never be approved of by the Company, though it is propoſed, I imagine, with a View of appearing to relieve them from the immediate Expence of thoſe Extraordinary Allowances which the Governor General and Mr. Barwell have given to Sir Eyre Coote againſt their poſitive Orders, and againſt Law. The Vizier has not invited Sir Eyre Coote into his Country, nor do I know of any Service which his Preſence there can produce to the Vizier, which alone could furniſh a Pretence for demanding any additional Subſidy from him; I am, therefore, againſt the Motion. Mr. Francis.

" Governor General.—This is ſtrange Language; and what, though not unprecedented at this Board, I did not expect on the preſent Occaſion, and with ſo little Provocation. When a Member of this Board ſhall take upon * to reprobate a Motion, either from the Head of this Department, who is compelled to propoſe what he thinks the Neceſſities of the Service require, and has not an Option to withhold it, or from any of the other Members of it, with Terms of Reproach and Obloquy, and to charge him with Extortion and Artifice, he ought at leaſt to be certain of the Facts on which he grounds ſuch ſevere Charges. The Ground aſſigned for thoſe in the preceding Minute is, that 'the ſpecific Amount of the Vizier's Subſidy is fixed by the Treaty.' I will not deſcend to copy Mr. Francis's Language or Manners in my Reply to this Aſſertion; but I will deſire the Board to recollect that the Subſidy, the ſpecific Amount of which is fixed by the Treaty, appertains only to the Brigade ſtationed in the Province of Owde; and that an additional Force has ſince been joined to this, for the Defence of the Nabob's other Dominions, the Whole of which has been, and continues to be, borne by the Nabob, with his Agreement. I know not how to diſtinguiſh between that Portion of the Expence attending the Command of theſe Forces, and that of the regular Brigade, ſince they are now blended in one Command by the Regulations lately formed; and as this whole Force is ſtationed there ſolely for the Service of the Nabob of Owde, the Expence ought, in my Opinion, to be ſolely his. Governor General. * Sic in Orig.

" Mr. Francis.—When the Weight of an Argument is felt, there is ſome Relief in cavilling about Terms. As to Language and Manners, I allow that the Governor General is perfect Maſter of both, whenever he is Maſter of himſelf. I leave the Stile of the Two preceding Minutes to be compared and judged of by others. In reply to the laſt, I ſhall only ſay, that I think my Objection is not anſwered. The Subſidy for the Brigade in the Field is fixed by Treaty; that, I preſume, we are agreed, cannot be increaſed at our Diſcretion; but if we can encreaſe the Vizier's Expence on Account of the other Troops commanded by Britiſh Officers in his Service, according to our Judgement, I imagine it amounts to the ſame Thing: We create new Eſtabliſhments, of which he is not apprized; we ſend Officers into his Country whom he has not invited thither; and we tell him that all this is done for his Service, and that he muſt pay for it. I know not by what Limits that diſcretionary Power, if exerciſed by us in one Inſtance, eſpecially of ſuch Magnitude as the preſent, can be reſtrained; the Vizier certainly, who is the principal Perſon concerned, has no Voice in the Queſtion. Mr. Francis.

" Mr. Wheler.—I am againſt the Queſtion. Mr. Wheler.

" Mr. Barwell.—I am for the Queſtion. I have impartially conſidered the Arguments for and againſt it; and I am convinced that it will both have the Approbation of the Company, and be vindicated by the obvious Neceſſity that require the Preſence of the Commander in Chief in the Vizier's Dominions. Some Regulations and Orders that the Board have iſſued, have indeed, in their Operation, checked a few material Defects in the firſt Plan ſuggeſted for giving the Nabob's Mr. Barwell.

Troops to Britiſh Officers, uncontrouled in their Charges. Theſe Orders have reduced them to our preſent Eſtabliſhment, have totally annihilated thoſe Contracts for Horſes, for Bullocks, and the Liberty of charging Batta upon the Receipts of Money, and on Tuncaws, as licenſed by the Miniſter of our Government at that Period. The great Relaxation which has proceeded from that Irregularity, and Want of Command which the firſt Syſtem could not fail to introduce, can never be effectually remedied by any Superintendence and Controul at the Diſtance of 900 Miles; but I flatter myſelf that a local and ſpirited Diſcharge of that Duty, which the Commander in Chief ſeems determined to execute, will effect the ſalutary Reform ſo much needed.

" Agreed to the Governor General's Motion.

" The following Letter is accordingly written to the Reſident at the Vizier's Court.

" To Mr. Purling.

" Sir,

" The Commander in Chief having thought it neceſſary to viſit the different Stations of the Army, we judge it proper that his Extra Allowances and travelling Charges ſhould be defrayed by the Vizier, from the Period when he ſhall croſs the River Carumnaſſa, until the Date of his Return to the ſame; we therefore encloſe an Account of the Eſtabliſhment fixed for the Extra Diſburſements of the Commander in Chief, while in the Field, and direct that you add the Amount thereof to the Debit of the Vizier's Monthly Account of Military Charges, as a Part of his General Subſidy during the above Period.

" Fort William, We are, &c.
1ſt November 1779."

" Reſolved, That the Governor General be requeſted to write to the Vizier in the Terms of the Motion.

(Signed at the End of the Conſultation)

" Warren Haſtings.
Rich[d] Barwell.
Edw[d] Wheler."

The Managers for the Commons informed the Houſe, that they ſhould next produce a Letter from the Governor General and Council to the Court of Directors, informing them of this Tranſaction; and ſtating that the Nabob Vizier had aſſented to the Propoſal.

Read, from Book 25, already delivered in, the following Extract of a Letter from the Governor General and Council, at Fort William, to the Court of Directors, dated Fort William, the 14th January 1780.

60. " As the Preſence of the Commander in Chief will be moſtly confined to the Grand Poſts of the Army in the Dominions of the Vizir, we thought it but juſt to include the Field Allowances and travelling Charges which had been annexed to his Station by our Reſolution in the Inſpection Department, in our Demand upon the Vizir, from the Date of his paſſing the Carrumnaſſa, as the Vizir, excluſive of the fixed Subſidy from one Brigade ſtationed for the Defence of his * guaratied Dominions, is bound to diſcharge the actual Expences of all the Troops employed for the Protection of the Countries lying beyond that Line; we therefore wrote to the Reſident to this Effect, and he has acquainted us with the Vizir's ready Aſſent to his Propoſal (*a*).

* Sic in Orig.

10th Dec.

(Signed at the End of the Letter)

" Warren Haſtings.
P. Francis.
Edw[d] Wheler."

The Managers for the Commons informed the Houſe, That as Mr. Haſtings had ſtated to the Court of Directors that the Nabob had readily aſſented to theſe Propoſals, they ſhould here again read a Letter from the Nabob to Mr. Haſtings already in Evidence before the Houſe.

Read, the following Extract from Page 542 of the Printed Minutes.

" Read, Extract of a Letter from the Nabob Vizier to Mr. Haſtings—received 24th of February 1780, from Book 116, beginning at Page 136 of the ſame Book.

" From the Nabob Vizier. Received 24th February 1780.

" I have received your Letter, and underſtand the Contents. I cannot deſcribe the Solidity of your Friendſhip and brotherly Affection which ſubſiſted between you and my late Father.

(*a*) Vide Appendix, N° CXCIX.

From

From the Friendſhip of the Company he received numberleſs Advantages; and I, notwithſtanding I was left an Orphan, from your Favour and that of the Company, was perfectly at Eaſe, being ſatisfied that every Thing would be well, and that I ſhould continue in the ſame Security that I was during my Father's Lifetime, from your Protection. I accordingly, from the Day of his Death, have never omitted to cultivate your Favour, and the Protection of the Company; and whatever was the Deſire and Directions of the Council at that Time, I have ever ſince conformed to, and obeyed with Readineſs. Thanks be given to God, that I have never as yet been backward in performing the Will of the Engliſh Company, of the Council, and of you, and have always been from my Heart ready to obey them; and have never given you any Trouble from my Difficulties or Wiſhes. This I have done ſimply from my Knowledge of your Favour towards me, and from my being certain that you would learn the Particulars of my Diſtreſſes and Difficulties from other Quarters, and would then ſhew your Friendſhip and Good-will in whatever was for my Advantage: But when the Knife had penetrated to the Bone, and I was ſurrounded with ſuch heavy Diſtreſſes that I could no longer live in Expectations, I then wrote an Account of my Difficulties.—The Anſwer which I have received to it is ſuch, that it has given me inexpreſſible Grief and Affliction. I never had the leaſt Idea or Expectation from you and the Council, that you would ever have given your Orders in ſo afflicting a Manner, in which you never before wrote, and which I could not have imagined. As I am reſolved to obey the Orders and Directions of the Council without any Delay, as long as I live, I have, agreeable to thoſe Orders, delivered up all my private Papers to him, that when he ſhall have examined my Receipts and Expences, he may take whatever remains. As I know it to be my Duty to ſatisfy you, the Company and Council, I have not failed to obey in any Inſtance; but requeſted of him that it might be done ſo as not to diſtreſs me in my neceſſary Expences. There being no other Funds but thoſe for the Expences of my Muteſeddies, Houſehold Expences, and Servants, &c. he demanded theſe in ſuch a Manner, that, being remedileſs, I was obliged to comply with what he required. He has accordingly ſtopped the Penſions of my old Servants of 30 Years, whether Sepoys, Muteſeddies, or Houſehold Servants, and the Expences of my Family and Kitchen, together with the Jaghiers of my Grandmother, Mother, and Aunts, and of my Brothers and Dependents, which were for their Support. I had raiſed 1500 Horſe and 3 Battalions of Sepoys, to attend upon me; but as I have no Reſources to ſupport them, I have been obliged to remove the People ſtationed in the Mahals, and to ſend his People into the Mahals; ſo that I have not now One ſingle Servant about me. Should I mention what further Difficulties I have been reduced to, it would lay me open to Contempt. Although I have willingly aſſented to this, which brings ſuch Diſtreſs on me, and have in a Manner altogether ruined myſelf, yet I failed not to do it; for this Reaſon, becauſe it was for your Satisfaction and that of the Council; and I am patient and even thankful in this Condition: But I cannot imagine from what Cauſe you have conceived Diſpleaſure againſt me.—From the Commencement of my Adminiſtration, in every Circumſtance I received Strength and Security from your Favour and that of the Council; and in every Inſtance you and the Council have ſhewn your Friendſhip and Affection for me: but at preſent, that you have ſent theſe Orders, I am greatly perplexed.

" Sir, I was in Hopes, from your Friendſhip, that if, which God forbid, any Diſpleaſure ſhould ariſe in your Mind, you would have firſt given me your Advice on it, in ſuch a Manner as is uſual to Perſons of Diſtinction, and where I ſhould have learnt it, were it true, I ſhould be the more abaſhed by it; and having explained and reconciled it to you, whatever might be your Wiſh and that of the Council, which might have been for my Advantage, it ſhould be complied with; or if it had been falſe, I ſhould have written ſo to you, that it might be explained to your fully. At preſent, aſſenting to every Thing which is required of me, I have executed your Orders; but am in Hopes of your Favour, that I may ſome Time or other have a Meeting with you, in which I may make known to you all my Diſtreſſes, and after that perform whatever may be your Will. I ſhall not trouble you with long Accounts of my Loſſes reſpecting my Affairs; for all my Concerns and Dignity depend on you and the Council, and you will perform every Thing which is for my Advantage and Intereſt, and for the Honour and Credit of the Company and of you.—This is not delayed by my Requeſts. As you and my late Father were like Brothers, I am in the ſame Degree as your Nephew. I am therefore confident, that you will direct whatever may appear to you adviſeable for me. I am only wiſhing for a Meeting with you; and I hope from your Friendſhip, that whatever you may determine upon for this Buſineſs, or whatever Place you can come to from Calcutta, you will inform me of it; or ſhould you have no Leiſure for it, I will repair to Calcutta. It is neceſſary you write all theſe Circumſtances to me.—Sir, if from your Friendſhip you ſhould write your Aſſent to this, it is well; I will come with great Satisfaction and Pleaſure; and although you ſhould forbid my coming, I will not put it off, but ſhall be the more deſirous of it, ſince I have not One ſingle Perſon near me who could make much Preparations neceſſary for the Journey, not even one Attendant. I ſhall, however, travel alone to your Quarter with great Pleaſure. My Situation abſolutely requires it, as I cannot at preſent remain here by any Means. If I have once an Interview with you, I ſhall have my Heart at Eaſe; after that, whatever your Orders and thoſe of the Council may be, they ſhall be obeyed. At preſent, that it is difficult for me to ſupport myſelf alive, by the Bleſſing of God, you who are prudent can remove my Griefs, and are favourably inclined to me,

and

and will perceive, that when I am reduced to that State, that all my Servants are diſmiſſed, and my Houſhold Expences, and even my Kitchen, ſtopped, how can I ſupport it, or remain alive? I am ready and reſolved to preſerve the Friendſhip and Good-will of you and the Council to the utmoſt of my Life and Property, and have continually obeyed whatever has been your Orders and thoſe of the Council. What the People of Diſtinction of every Nation deſire, that their Name, Honour, and a Sufficiency for their unavoidable Expences may be preſerved to them, I have no other Wiſh. If, which God forbid, this ſhould not take Place, it will be difficult for me to live One Inſtant.

" I am therefore hopeful, that you will favour me with an Anſwer to this Letter, agreeable to my Requeſt. My ſole Strength and Security is from your Favour and that of the Council. Further Particulars will be made known to you by Rajah Govind Ram (*a*)."

The Managers for the Commons ſtated, they ſhould next produce a Letter from the Court of Directors to the Governor General and Council, dated October 18th 1780, and which arrived in Bengal in April 1781; to prove that the Company condemned theſe Allowances to Sir Eyre Coote, and ordered them to be diſcontinued.

Read, from Book 431, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, the 18th October 1780.

4. " Your Proceedings relative to ſeveral extra Allowances granted to Sir Eyre Coote have been but a few Days before us; by an early Opportunity we ſhall give you our Sentiments and Inſtructions fully upon that Subject; at preſent, we only obſerve, that theſe Allowances appear to us in a Light ſo very extraordinary, and ſo repugnant to the Spirit of a Reſolution of the General Court of Proprietors reſpecting the Allowance made to General Clavering, that we poſitively direct that they be diſcontinued immediately, and no Part thereof paid after the Receipt of this Letter.

(Signed at the End of the Letter)

" J. Stables, W. Devaynes,
F. Baring, L. Sulivan,
J. Manſhip, R[d] Becher,
Ja[s] Moffatt, Ben. Booth,
W. G. Freeman, Jn[o] Michie,
Wm James, Jn[o] Harriſon,
Tho[s] Cheap, L. Darell Jun[r],
Rob[t] Gregory."

" London,
the 18th October 1780.

Read, from Book 435, already delivered in, the following Extract of a Conſultation of the 27th April 1781.

" Fort William, 27th April 1781.

Pub. Dep[t]. Friday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident; and
Edward Wheler Eſquire.
Lieut[t] Gen[l] Sir Eyre Coote K. B. abſent on Command at the Preſidency of Fort St. George.

" There being no Meeting of the Council on the Day on which the Diſpatches of theſe Ships arrived, thoſe of the Lively Brig, which were brought by the Earl of Dartmouth, and made Part of a Packet from Fort Saint George, were carried to the Governor General by the Secretary, in whoſe Preſence they were opened and read, and afterwards communicated by the Secretary to Mr. Wheler. Having been opened, they were found to contain General Orders from the Court of Directors, dated 5th July and 16th * October 1780, with the other Papers mentioned in the Liſt of † Packet.

* Sic in Orig.

† Sic in Orig.

" Ordered, That the ſeveral Papers of the Diſpatch, and Paragraphs of the Letters, be diſtributed to the Officers and Perſons to whom they belong.

" Ordered, That a Copy of the Paragraph reſpecting the Allowance granted to General Sir Eyre Coote be tranſmitted to him, and that the Commiſſary General be informed, that the Allowance granted by this Government to General Sir Eyre Coote in the Year 1778 is diſcontinued, no Part of it being to be paid after this Date.

(Signed at the End of the Conſultation)

" Warren Haſtings,
Edw[d] Wheler."

(*a*) Vide ſupra, Page 542.

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The Managers for the Commons ſtated, they ſhould here refer to a Part of Mr. Middleton's Examination, already in Evidence, reſpecting certain Tranſactions relative to this Matter, to ſhew that Mr. Haſtings was in the general Habit of charging upon the Vizier contrary to the Treaty.

Read, the following Extract from Page 937 of the printed Minutes.

'Q. Did you think yourſelf authorized to place any Perſon upon the Nabob's Liſt, for Penſions or Gratuities, after the Treaty of Chunar?

'A. Upon my own Authority?

'Q. Yes.

'A. No; certainly not.

'Q. Upon whoſe Authority did you do it?

'A. Is the Fact eſtabliſhed that I did do it?

'Q. Did you ever do it?

'A. I do not know I did.—No; certainly I did not.

'Q. It is in your own Evidence that you did do it. With reſpect to the Communication made with Mr. Haſtings reſpecting Perſons to be placed privately upon the Nabob's Penſion Liſt, you ſaid you had not received a written Order from Mr. Haſtings, but that it was a verbal Communication, that the Names were given to you verbally?

'A. I recollect it; and I believe it will be found, by recurring to that Evidence, that it meant Perſons who were to ſtay at Lucknow. I do not recollect it mentions a ſingle Word about Penſions.

'Q. Recollect whether you did or did not receive any Inſtruction, Direction, or Communication, from Mr. Haſtings, reſpecting any Perſons continuing to receive Penſions, or Gratuities, after the Treaty of Chunar?

'A. I am very ſorry to have Occaſion to throw myſelf on your Lordſhips Indulgence again: This is a Queſtion which certainly muſt criminate myſelf; if I did receive ſuch Orders, or acted upon them; or without acting upon them, if I did not diſcloſe them to my Superiors, I was clearly criminal.

'Q. The Queſtion now is, Whether you did receive any Orders to that Effect?

'A. If I did receive them, and did not diſcloſe them, I believe it will be found I certainly was criminal in that Reſpect.

'Q. Whether you did not receive Inſtructions from the Board, whom you ſtate as your Superiors, and to whom you was bound to communicate every Thing, to obey Mr. Haſtings's Orders as clothed with the Authority of the whole Council?

'A. Certainly, during his Continuance in the Upper Provinces.

'Q. Then whether you did not receive ſuch Orders from Mr. Haſtings?

'A. May I aſk what Orders?

'Q. To continue any Perſons whatſoever upon Penſions, or Gratuities, after the Treaty of Chunar?

'A. I really do not recollect that I received any Orders from Mr. Haſtings upon the Subject. I certainly have mentioned, that I received a Communication from Mr. Haſtings in Converſation, mentioning the Gentlemen that were to remain at Lucknow.

'Q. Whether, according to the beſt of your Recollection, you have not received ſome Orders or Communications, reſpecting Perſons to continue upon Penſions or Gratuities after the Treaty of Chunar?

'A. I really do not recollect I did; but I muſt again obſerve, that if I did receive them, and did not diſcloſe them, I was criminal in ſo doing; if I am not ſo, I wiſh to be informed by your Lordſhips. According to my own Conception, I am criminal in receiving ſuch Order without diſcloſing it.

'Did you receive the Orders or not?

'A. I do not recollect I received any Orders, but I believe I have occaſionally received Recommendations from Mr. Haſtings.

'Q. Whether you did not receive ſome of thoſe Recommendations before you parted with Mr. Haſtings at Chunar?

'A. I rather think I did (*a*).'

(*a*) Vide ſupra, Page 937.

Read, the following Extract from Mr. Haſtings's Defence, delivered at the Bar of the Houſe of Commons, beginning at Page 287 of the ſame.

" When Sir Eyre Coote arrived in Calcutta in April 1779, he propoſed viſiting the different Stations of the Army, and he moved at the Board, That a Field Eſtabliſhment ſhould be formed for him. The Allowances of General Stibbert, the Provincial Commander in Chief, as authorized by the Court of Directors, were very conſiderable, his Table Allowance alone was above £. 7,000 a Year; and Sir Eyre Coote's Allowances of every Kind, as ordered by the Court of Directors, £. 6,000 a Year. An Eſtabliſhment was formed for Sir Eyre Coote, for Boats, Budgerows, Table Expences, Camp Equipage, &c. when in the Field, calculated, as I firmly believe, ſo as not to exceed the additional Expences which he incurred by his Abſence from Calcutta; for it was then only that he was to draw theſe additional Allowances. On his croſſing the Carumnaſſa, the Allowances were paid by the Nabob Vizier. In the Month of September 1780, he returned to Calcutta, and embarked for Madras with a powerful Reinforcement, and a large Supply of Treaſure, during the Heighth of the Monſoon, on a moſt important and hazardous Service. In the Month of April 1781, the Order of the Court of Directors arrived, diſapproving of the Allowances which we had granted to Sir Eyre Coote, and poſitively ordering them to be ſtruck off; and they were immediately diſcontinued. By what Authority Sir Eyre Coote continued to receive this Allowance from the Nabob Vizier, I know not; but I have a faint Recollection of Mr. Croftes having mentioned the Circumſtance to me a ſhort Time before Sir Eyre was returning to Madras, in the Month of January 1783; and I have no Doubt of his having received my Authority to write to Mr. Briſtow. Sir Eyre Coote was then on the Point of returning to Madras, with a Conſtitution worn out in the Publick Service, by Exertions almoſt beyond Belief. His Life was of the utmoſt Importance: I had not a Doubt of his Succeſs againſt Mr. Buſſy, could he have arrived in tolerable Health upon the Coaſt.—This was not a Time for me to diſpute any Point that could add to his Chagrin. His Expences were conſiderable: He had Three ſeparate Eſtabliſhments; One at Calcutta, One at Madras, and the Third in the Field. The Allowance, as I underſtood, was voluntarily paid by the Vizier. I could have had no private Intereſt of my own to gratify at any Period of our Connection, more eſpecially at a Moment when the whole World knew that Sir Eyre Coote could not live Six Months, having, when he returned to Madras, as he truly ſaid, 'One Foot in the Grave, and the other at the Edge of it.'—This Honourable Houſe is now in Poſſeſſion of the Tranſaction, and of my Motives for the Share which I had in it." (*a*)

The Managers for the Commons ſtated, that, in order to explain this Paſſage in the Defence of Mr. Haſtings, they would now proceed to read certain Parts of the Charges againſt Mr. Haſtings, preſented to the Houſe of Commons, to which Parts the Paſſage of Mr. Haſtings's Defence, now read, is in Anſwer.

Read, the following Extract from the 7th Article of Charge preſented to the Houſe of Commons againſt Mr. Haſtings, beginning at Page 26 of the ſame.

" That on the 1ſt of November 1779, the ſaid Warren Haſtings did move and carry it in Council, 'That the Reſident at the Vizier's Court ſhould be furniſhed with an Account of all the 'extra Allowances and Charges of the Commander in Chief, when in the Field, with Orders to 'add the ſame to the Debit of the Vizier's Account, as a Part of his General Subſidy; the Charge 'to commence from the Day on which the General ſhall paſs the Carumnaſſa, and to continue till 'his Return to the ſame Line.'—That this additional Expence, impoſed by the ſaid Warren Haſtings on the Vizier, was unjuſt in itſelf, and a Breach of Treaty with that Prince, the ſpecific Amount of the Subſidy to be paid by him having been fixed by a Treaty, to which no Addition could juſtly be made, but at the previous Requiſition of the Vizier.—That the Court of Directors, in their Letter of the 18th of October 1780, did condemn and prohibit the Continuation of the Allowances above-mentioned to Sir Eyre Coote, in the following Words: 'Theſe Allowances 'appear to us in a Light ſo very extraordinary, and ſo repugnant to the Spirit of a Reſolution of 'the General Court of Proprietors, reſpecting the Allowance made to General Clavering, that we 'poſitively direct that they be diſcontinued immediately, and no Part thereof paid after the Receipt 'of this Letter.'—That on the 27th of April 1781, the Governor General and Council, in Obedience to the Orders of the Directors, did ſignify the ſame to the Commiſſary General, as an Inſtruction to him, that the extraordinary Allowances to Sir Eyre Coote ſhould be diſcontinued, and no Part thereof paid after that Day.—That it appears, nevertheleſs, that the ſaid extra Allowances (amounting to above Twenty thouſand Pounds Sterling a Year) were continued to be charged to the Vizier, and paid to Sir Eyre Coote, in Defiance of the Orders of the Court of Directors, in Defiance of the conſequent Reſolution of the Governor General and Council, and in Contradiction to the Terms of the original Motion, made by the ſaid Warren Haſtings, for adding thoſe Allowances to the Debit of the Vizier, viz. 'That they ſhould continue till Sir Eyre Coote's Return to

(*a*) Vide Appendix, N° CLXXXVIII.

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'the Carumnaſſa.'—That Sir Eyre Coote arrived at Calcutta about the End of Auguſt 1780, and muſt have croſſed the Carumnaſſa, in his Return from Oude, ſome Weeks before, when the Charge on the Vizier, if at any Time proper, ought to have ceaſed.—That it appears that the ſaid Allowances were continued to be charged againſt the Vizier, and paid to Sir Eyre Coote for Three Years after, even while he was ſerving in the Carnatic; and that this was done by the ſole Authority and private Command of the ſaid Warren Haſtings."

Vide Mr. Briſtow's Letter to the Governor General and Council, 22d March, 1785.

Read, the following Extract from the 16th Article of Charge, preſented to the Houſe of Commons, againſt Mr. Haſtings, beginning at Paragraph 36 and Page 39 of the ſame.

36. "That beſides theſe enormous Demands, which were in Part made for the Support of ſeveral Corps of Troops under Britiſh Officers, which by the Treaty of Chunar ought to have been removed, very large extra Charges, not belonging to the Military Liſt of the ſaid Nabob, and ſeveral Civil Charges and Penſions were continued, and others newly put on ſince the Treaty of Chunar; namely, an Allowance to Sir Eyre Coote of 15,554 Rupees ℔ Month."

Read, a further Extract from the ſaid 16th Article of Charge, beginning at Paragraph 92 and Page 156 of the ſame.

92. "That the aforeſaid Briſtow did alſo produce the following Letter, in Proof that Mr. Haſtings knew and approved of large Salaries to Britiſh Subjects upon the Revenues of Oude, and which he did declare that nothing, but the Neceſſity of Self-defence, could have induced him to produce.

'Dear Briſtow,

'Sir Eyre Coote has ſome Field Allowances to receive from the Vizier; they amount to Sicca 'Rupees 15,554 ℔ Month, and he has been paid up by the Vizier to the 20th Auguſt 1782. The 'Governor has directed me to write to you, to requeſt you to receive what is due from the Vizier 'from the 20th Auguſt laſt, at the Rate of Lucknow Sicca Rupees 15,554 ℔ Month, and ſend 'me a Bill for the Amount, the Receipt of which I will acknowledge in the Capacity of Sir Eyre 'Coote's Attorney; and the Governor deſires that you will continue to receive Sir Eyre Coote's 'Field Allowances at the ſame Rate, and remit the Money to me as it comes in.

'Calcutta, (Signed) 'Charles Croftes.'
'January 25th, 1783.

93. "That Sir Eyre Coote aforeſaid was, at the Time of the ſaid Field Allowances, not ſerving in the Country of Oude, on which the ſaid Allowances were charged, but in the Carnatic."

The Managers for the Commons informed the Houſe, they ſhould now conclude the Evidence on this Branch of the Article, by reading the Dates of certain Letters, in order to ſhew where Sir Eyre Coote was at thoſe reſpective Times.

Read, from Book 438, already delivered in, the following Extract of a Conſultation, dated 29th of November 1780, beginning at Page 3 of the ſame Book.

☞ ["Fort William, 29th November 1780.

"At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
and
Edward Wheler Eſquire.

Mr. Francis indiſpoſed;
Lieutenant General Sir Eyre Coote K. B. abſent on Service at the Preſidency of Fort St. George.] ☜

§ ("The following Letter from Lieutenant General Sir Eyre Coote, having been received ſince "the laſt Meeting of the Board, it was circulated to the ſeveral Members for their Peruſal.

"Gentlemen,

"I did intend myſelf the Honor of writing a few Lines to you by Return of the Pilot Veſſel, "which conducted the Kingſton out of the River. Your not having received ſuch Advice, and "the Pilot not having returned, would no Doubt alarm you, and render you uneaſy about our "Safety, the more eſpecially as you had before been informed of the deplorable State the Ship "was in from the Sickneſs of both her Officers and Crew; ſo great was our Diſtreſs on the former "Score, that we were happy in the Neceſſity which the Severity of the Weather reduced us to, of "carrying off the Pilot, Mr. Simpſon, who has been of infinite Service to us in the Courſe of the "Voyage, for which, and for the Skill, Activity, and Reſolution, with which he conducted the "Ship out of Pilot's Water, under a moſt violent Gale of Wind, I mean, when he leaves this

Sir Eyre Coote.

" Place, to recommend him to your Board for an adequate Reward. The Storm, with variable " Winds, laſted for upwards of Two Days. On the 23d we were obliged to come to an Anchor, " we imagine about the Latitude of Ballaſore; but the Wind coming round to the Northward, " and ſtill blowing very hard, we cut our Cable, and got fairly to Sea. The Remainder of our " Voyage proved upon the Whole very favourable, and") § ☞ [I have the Pleaſure to acquaint you, that I landed ſafe Yeſterday Afternoon;] ☜ § (" but in the Morning had the Mortifica- " tion to obſerve from the Ship, the Country both to the Northward and Southward of this Place " in Flames. The Villages, as near as Five Miles round, have been burnt and deſtroyed by Hy- " der's Cavalry.

" On coming on Shore, I was ſomewhat conſoled to learn that Hyder had not taken Arcot; " the Garriſon having, as I have been informed, made a moſt noble Defence, not only repulſed, " with conſiderable Loſs, in Two or Three Attempts to ſtorm the Petto, after having made prac- " ticable Breaches, but had alſo cut off a great many of his Men, by ſome very ſpirited Sallies. " The People in Command of this Garriſon, both White and Black, deſerve the higheſt Com- " mendations for their Bravery, and ſo ſenſible am I of their Merit, that I ſhall this Day write " them in the higheſt Terms of Approbation, and afford them every Encouragement to continue " their gallant Conduct, by the moſt poſitive Aſſurances of ſpeedy Support.

" So thoroughly, Gentlemen, am I convinced that the Succeſs of the War, in a great Degree, " turns upon the Safety of Arcot, that I am determined to relieve it; although, by all Reports " yet made to me of the State of the Army here, I do not find that, including the Detachment " I have brought with me, I ſhall be able to muſter more than 1,300 Europeans, and not " above 2,000 effective Sepoys in the Field, and about 1,000 Cavalry. This is but a very ſmall " Force for ſo great an Undertaking; but the Situation of our Affairs in general, and the Im- " portance of the Object require, that we ſhould exert ourſelves with that Degree which at any " other Period might be termed Raſhneſs.

" I have the Pleaſure to inform you, that all the Veſſels with the Troops and Stores are ſafely " arrived, and the Troops and Money that came with me, on the Kingſton, ſafely landed. The " Free Maſon, from the Strength of the Current, has been drove Five Leagues to the South- " ward; and, as her getting up again is extremely uncertain, Mr. Whitehill Yeſterday Morning " diſpatched Two of the Company's Schooners to bring the Regiment and the Money ſhe has on " Board up.

" I had written thus far in my Letter, and with, I muſt own, a flattering Hope that I might " raiſe the Siege of Arcot, retrieve the Honour of the Britiſh Arms on this Side India, and once " more reſtore Peace and Tranquillity to the Carnatic. But to the total Deſtruction of that Hope, " and to my utter Regret and Concern, ſeveral different Accounts are juſt come in, and from, " I am afraid, too good Authority to be doubted, informing us of the Fall of that Garriſon. I " tranſcribe and ſend you them on a ſeparate Paper for your more particular Information.

" I had in my own Mind formed Plans for arranging and conducting our Military Operations " in this Quarter, but this Blow has diſconcerted me not a little, as I am of Courſe obliged to " think of other Means, much more difficult and more hazardous. Any Reſources I could draw " from the Southward are but trifling; beſides, were they of ſo much Conſequence as to make " me deſirous of commanding them, I could not, on Account of the Monſoon, bring them by " Sea, and by Land the Communication is entirely cut off by Hyder; neither can I venture on " bringing any more from the Northward, until I know for certain the Footing we are likely to " be on with the Nizam and the Maharattoes, as I ſhould thereby leave the Circars totally un- " protected.

" I have this Day received a Letter from General Goddard, dated the 6th September, from " Bombay; he was then preparing to return to Surat. I have likewiſe later Accounts that inform " me he had not begun the Siege of Baſeen ſooner than ſome Time in laſt Month. I am now, " if poſſible, more convinced than I was before of the Neceſſity of that Army acting againſt " Hyder, on the other Side of India, whatever may be the Iſſue of our Negociations with the " Mahrattas, which however, I truſt, will terminate in a Manner correſponding with what were " our unanimous Wiſhes when I had the Honour of being with you at the Board.

" Your Diſpatches to Mr. Whitehill have been delivered. We have had no Council To-day; " but we are to meet To-morrow. I ſuppoſe they have already informed you of the Nabob Walla " Jah having relinquiſhed the Guntore Circar, and of its being reſtored to the Nizam. When I " ſhall have better informed myſelf on this and other Subjects, I ſhall do myſelf the Honour of " writing to you more fully.") §

☞ [" I have the Honor, &c.

(Signed) " Eyre Coote.] (*a*) ☜

(Signed at the End of the Conſultation)

" Edwd Wheler."

(*a*) No Date to this Letter.

To

To ſhew Sir Eyre Coote's Return,

Read, from Book 62, already delivered in, the following Extract of a Conſultation, dated 21ſt October 1782, beginning at Page 462 of the ſame Book.

" Fort William, 21ſt October 1782.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident;
Edward Wheler and John Macpherſon, } Eſquires.

Lieutenant General Sir Eyre Coote K. B. abſent on Service at Fort St. George.

" Received the following Letter from Lieutenant General Sir Eyre Coote.

" Gentlemen,

Pub. Dept. Lieut. General Sir Eyre Coote.

" I have the Honour of acquainting you, that I arrived here this Morning from Madras, in His Majeſty's Ship Medea, and ſhall proceed to Calcutta with the next Tide. I have benefited by the Sea Air, am better than when I left the Coaſt, though yet very weak.

(Signed at the End of the Letter)
" Eyre Coote.

" On Board the Medea,
20th Octr 1782.

(And at the End of the Conſultation)
" John Macpherſon."

The Managers for the Commons informed the Houſe, they ſhould have next proceeded to ſhew, that Sir Eyre Coote left Calcutta in March 1783; but Mr. Haſtings having admitted Sir Eyre Coote's being on the Coaſt, in his Anſwer, had rendered ſuch Proof unneceſſary:

That they ſhould now therefore go to another Head of the Article, and produce Evidence relative to the Agency, in the Perſon of Mr. Auriol, for ſupplying Fort St. George with Grain, and Rice in particular.

Read, from Book 33, already delivered in, the following Extract of a Conſultation of the 14th December 1780.

" Fort William, 14th December 1780.

" At a Council; Preſent,
The Honble. Warren Haſtings Eſquire, Governor General, Preſident;
Edward Wheler Eſquire.

Lieutenant General Sir Eyre Coote abſent on Command at the Preſidency of Fort St. George.

" Read, the following Letter from Mr. Auriol:

" Honble. Sir, and Sirs,

Mr. J. P. Auriol, dated 7th Dec.

" The Intelligence received from Fort St. George of a preſent Scarcity of all Kinds of Grain at that Place, and the Diſtreſs which General Sir Eyre Coote apprehends ſo numerous a Garriſon may ſuffer, if not relieved by timely Supplies from hence, induce me to offer the following Propoſals for providing them, as I have an Opportunity at preſent of ſecuring a Quantity of Tonnage, which may ſoon be otherwiſe engaged, and it will afterwards be difficult, if not impoſſible, to afford ample Relief to that Garriſon, on Account of the reduced State of the Shipping of this Port.

" I will engage to deliver at Fort St. George, in the Courſe of the preſent fair Seaſon, excepting only againſt the Capture of Enemies and the Dangers of the Seas, the following Articles, viz.

50,000	Bags	of good Cargo Rice, at S^a R^s	6	8	℔ Bag of 2 B^r M^d.	
15,000	Maunds	of Wheat	7	12	D°	of D°.
10,000	D°	Peaſe	7	8	D°.	
12,000	D°	beſt Gram of different Kinds	7	8	D°.	
10,000	D°	middling D°	7		D°.	
1,000	D°	Tobacco	10		D°.	
500	D°	Betel	11	8		
1,000	D°	Ghee	20			
1,000		Oil	14	4		
2,000		Sugar	18	8	D°.	

" The

" The Payment to be made One Third in Advance, One Third on Approbation of the Muſters, and the Remainder on Proof of delivering the ſeveral Articles at Madras, or their actual Loſs by either of the Dangers excepted againſt.

" The Prices of Ghee and Sugar may appear rather high, but they are not Objects of Advantage, when the Waſtage is conſidered; and I have only inſerted a ſmall Quantity of each, becauſe they are Articles of neceſſary Conſumption.

" If my Propoſals ſhould be approved I requeſt that the Honourable Board will be pleaſed to direct their Attorney to make out the Engagements as ſoon as poſſible, that I may loſe no Time in ſecuring the Tonnage that will be required.

* Sic in Orig. " I beg leave to add, That if the Honble * Board ſhould prefer ſupplying the Wants of the Preſidency of Fort St. George by Agency, I will uſe my utmoſt Endeavours to effect it to their Satisfaction; that I will deliver my Accounts upon Honour, and expect only the uſual Commiſſion for my Trouble.

" I am, with the greateſt Reſpect,
Honble Sir and Sirs,
Your moſt obedient Servant,
(Signed) " J. P. Auriol."

" Fort William,
7th December 1780.

" Agreed, that Mr. James Peter Auriol be permitted to provide by Agency the Articles mentioned in his Propoſals, deliverable as ſoon as poſſible, in any Quantities of each that he may be able to procure, excepting the Articles of Tobacco, Ghee, Betel, Sugar, and Oil, theſe being neither ſo neceſſarily wanted as Gram, nor ſo eaſy or convenient of Tranſportation, and that he be allowed a Commiſſion of 15 ℔ Cent.

" Agreed alſo, that Mr. Auriol be appointed Agent of Supplies to the other Preſidencies, and to the Iſland of St. Helena, with the ſame Commiſſion.

" Ordered, that Notice of this Appointment be ſent to the Buxey, that he may not in future provide Stores as uſual for the Iſland of St. Helena.

(Signed at the End of the Conſultation)
" Warren Haſtings,
Edwd Wheler."

Read, from Book 450, already delivered in, the following Extract of a Conſultation of the 25th March 1782, beginning at Page 357 of the ſame Book.

" Fort William, 25th March 1782.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Edward Wheler,
John Macpherſon, } Eſquires.
Lieutenant General Sir Eyre Coote K. B. abſent on Service at Fort Saint George.

" Read, the following Letter from the Accomptant General.

" Honble. Sir, and Gentlemen,

" In Obedience of your Orders of the 12th November 1781, I have now the Honour to report to you, that, on an Examination of the Accounts of the Agent for the Supplies to the other Preſidencies, I find them to be correct in their Additions and Calculations, that they correſpond with thoſe of the Treaſury in the Sums charged in the latter as advanced to him; that the Sums charged in his Accounts correſpond with the Invoices of Supplies ſent to the other Preſidencies; that the Commiſſion charged at 15 ℔ Cent. upon the Proviſions ſupplied, upon the Charges of ſhipping them, and upon the Freight, is accurately computed.

" The Agent being upon Honour with reſpect to the Sums charged in his Accounts, for the Coſt of the Articles ſupplied, I did not think myſelf authoriſed to require any Voucher of the Sums charged for the Demurrage of Sloops, either as to the Time of Detention or the Rate of the Charge, or of thoſe for the Articles loſt in going down the River, and on that Ground I thought myſelf equally bound to admit the Sums acknowledged as received for the Sales of Goods returned, without requiring Vouchers of the Rates at which they were ſold (*a*).

(Signed at the End of the Letter)
" Wm Larkins, Accountant General.
(And at the End of the Conſultation)
" Warren Haſtings,
Edwd Wheler,
John Macpherſon."

(*a*) Vide Appendix, N° CC.

Read,

Read, alſo, a further Extract from the ſame Book and ſame Conſultation, beginning at Page 361 of the ſame.

" Ordered, that the Accounts incloſed in the above Letter be returned to the Accomptant General.

" The Board obſerve that the Rates of the Purchaſes made by the Agent being in general low, and his Charges reaſonable, excepting Freight, which has been raiſed by the exceſſive Demand for Gram at Madras, and Commiſſion upon the ſame, which has conſequently been enhanced in proportion,

" Agreed, that his Accounts be paſſed up to the 31ſt December 1781 in their preſent Form; but from that Period that he draw no more Commiſſion on the Freight, Charges of Shipping, or any other Charges, than the Rate of 5 ℔ Cent. being the cuſtomary Amount drawn by Merchants:

" And, as an Equivalent for any Advances of Money which it may be neceſſary for the Agent to make for carrying on the Service, if there ſhould not be Aſſets in the Treaſury to anſwer the Drafts made upon it in his Favour, Reſolved, That he be allowed the current Intereſt of Calcutta upon all ſuch Drafts from the Day of their Dates, until they ſhall be completely liquidated.

" Ordered, that Notice thereof be ſent to the Accomptant General, and to the Sub-treaſurer." (*a*)

The Managers for the Commons informed the Houſe, that they ſhould next proceed to prove that the uſual and cuſtomary Rate of mercantile Commiſſion, between Merchant and Merchant, in India, was 5 per Cent; and for this Purpoſe deſired Mr. Brodie might be called in.

ALEXANDER BRODIE Eſquire was accordingly called in; and, being ſworn, was examined as follows:

Q. Was you long reſident in India, and how long?
A. Ten Years.

Q. Was you engaged in Commerce upon your own Account, and had you the Means of knowing the uſual Rate of Commiſſion allowed by one Merchant to another?
A. Yes, I think I had.

Q. What is the uſual Rate?
A. Five ℔ Cent. on the Cargoes purchaſed or ſold.

Q. (*Croſs-examined.*) Do you know any Caſe where the Perſon who receives the Commiſſion is in Advance for his Principal, and whether the Commiſſion varies in ſuch a Caſe?
A. I think I recollect many Inſtances of that Kind where Advances were made by the Perſon employed, on Behalf of the Perſon employing, and yet on that Account no Addition has been made to the 5 ℔ Cent. except Intereſt on the Sums ſo advanced.

Q. What is the Amount of the Intereſt?
A. From 8 to 10 ℔ Cent.

Q. Do you know the Practice at Bengal and other Settlements?
A. I certainly do, becauſe I had a great many Conſignments from Bengal, though I reſided at Madras.

Q. Do you know what were the Rates of Allowances for public Agencies, ſuch as Mr. Auriol's was, where the Agent found the Veſſel as well as the Commodity, and made Advances of Money?

The Managers for the Commons objected to the Queſtion.

Q. Whether you know what Rate of Commiſſion was uſually allowed by Government for ſuch Commiſſion as Mr. Auriol's was? Do you know what the Nature of Mr. Auriol's Employment was?
A. Yes.

Q. Then what has been the uſual Allowance made to Agents employed under the like Circumſtances as thoſe in which Mr. Auriol was employed?
A. I never knew of any other than Mr. Auriol's.

(*a*) Vide Appendix, N° CC.

Q. Do you know whether the Rice ſent to Madras by Mr. Auriol was not of a particularly excellent Quality, and commended for being ſo?

A. To the beſt of my Recollection a great Part of it was extremely good; but I believe it happened, as it muſt in ſuch Caſes, that a Part of it was likewiſe bad.

Q. Have you not upon ſome Occaſion written, that the Conſignment from Bengal by Mr. Auriol was of a very excellent Quality, and greatly ſuperior to that delivered in to the Stores by Mr. Ferguſon?

A. Yes, I think I have; but I cannot now recollect the Particulars.

Q. When you wrote that Account, did you mean to convey your Opinion of the Manner in which the Contract was executed?

A. With reſpect to the Quality of the Rice, I did.

Q. Have you not repreſented Mr. Ferguſon's Conſignments as being inferior to Mr. Auriol's in Quality by at leaſt 20 ℔ Cent?

A. Yes, I have; but I made many Reports to Government from Madras at different Times, containing different Opinions of the Quality, at the Time it was received.

The Witneſs was directed to withdraw.

Read, from Book 427, already delivered in, the following Extract of a Conſultation of the 7th September 1781.

" Fort William, 7th September 1781.

" At a Council; Preſent,
Edward Wheler Eſquire.

Pub. Depart. Monday.

The Honble. the Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote abſent on Service at Fort St. George.

" Read the following Letter from Bombay:

" Gentlemen,

" We have received your Conſignment of Rice by the Devonſhire Grab.

" The Charges of this Rice are ſo exceſſively high and unuſual to us, particularly the Articles of Freight and Commiſſion, that they could not but attract our Obſervation, and they engaged our Attention the more ſtrongly, as we underſtand a large Quantity is provided for this Preſidency upon the ſame Terms. The Rice, with the Addition of the Charges, ſtands the Company in upwards of Nine Rupees a Bag at Calcutta, and we have judged it incumbent on us to take Notice ſo far of this expenſive Supply, as this Preſidency will of Courſe ſtand charged with a heavy Debt on that Account; and our Wants were not ſo preſſing as to require ſo expenſive a Relief (*a*).

(Signed at the End of the Letter)

" Wm Hornby,
&c. Council.

(And at the End of the Conſultation)

" Edwd Wheler."

Read, from Book 452, already delivered in, the following Extract of a Conſultation of the 24th November 1783, beginning at Page 427 of the ſame Book.

" Fort William, the 24th November 1783.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler,
John Macpherſon, } Eſquires.
John Stables,

Acting Accountant General, 2d Sept.

" 14th. I find that during the Period for which the Agents Accounts are now under Inveſtigation, he includes the Coſt of Bags, Matts, Jars, and Duppers, with the Merchandize, and ſays, that he regards them as Purchaſes: The Board will therefore determine whether theſe Articles come within this Deſcription, or ſhould be conſidered as a Part of the Charges." (*b*)

(*a*) Vide Appendix, N° CCI.

(*b*) Vide Appendix, N° CCII.

Read,

Read, a further Extract from the ſame Conſultation, beginning at Page 432 of the ſame Book.

☞ [" Read, the following Remarks from Mr. Auriol, on the preceding Letter.] ☞

§ (" Remarks on the Accountant General's Audit, dated 2d Sept. 1783. Mr. Auriol's Remarks.

" On Par. 4th. Theſe Eight Seats are in Store, and ready to be delivered up.

" 6th. Theſe Tarpaulings were made to cover and preſerve Rice in the Way down to the Ships " at Culpee and Kedjeree; Seven of them have been loſt in this Service, and the Remainder ſold " at Outcry, for which Credit will be given.

" 9th. Commiſſion was charged, as uſual in my Office, on the Invoices by theſe Veſſels; but it " occurred to me, that the Engagements for freighting them had been concluded by the Board, " and not immediately with me, for this Reaſon I thought I was not properly intitled to the Com- " miſſion; I therefore ſtruck out what had been already charged, carried the Amount of it to " Credit, and deſiſted from charging any on Mr. Touchet's Veſſels from that Time.") §

☞ [" 11th. This was incurred as the neceſſary Conſequence of employing an Agent at Coringa to perform the Service; but I limited the Amount of Freight, under which only I would allow him to charge Commiſſion, in order to ſtimulate the Endeavours of this Agent, Mr. Hamilton, to engage Veſſels at as low a Freight as poſſible. The antecedent Seaſon he charged the ſame Commiſſion upon all the Veſſels he had engaged for me, and I paid it out of my own Allowance, which, before the Deduction, was ſufficient to afford it.] ☞

§ (" 12th. The Account required has been prepared in Courſe, and accompanies this. It ſhews " the Produce of the Rice received back from Mr. Touchet's Veſſels, and the Amount Sale " at a publick Outcry, made by the Company's Auctioneer, with the Balance of other Articles re- " maining in Store; but N° 3. C. R^{s} 1,955 3 2 is improperly inſerted, that being the Amount " of an actual Deficiency on the Rice received back from Mr. Touchet the preceding Seaſon, " cauſed by Waſtage; not a Charge for Rice laden upon his Veſſels, as the Accountant General " expreſſes it.

" 13th. An Account of the Produce of theſe Stores, ſold at the ſame Time, is likewiſe encloſed, " and the Amount carried to Credit.") §

☞ [" 14th. I can with the ſtricteſt Truth declare, that the Idea ſuggeſted by this Paragraph never once ſtruck me, until the Paragraph itſelf pointed it out. The Rule I had obſerved, in Conſequence of the Board's Reſolution when they reduced my Commiſſion upon Charges, was to draw 2½ ℔ Cent. upon all Purchaſes, and 5 ℔ Cent. upon all Charges; but I only drew this upon Invoices actually laden. I drew no Commiſſion whatever upon more troubleſome Services, ſuch as building Golas, Expence incurred at them, Demurrage of Sloops and Boats, Charges of loading and unloading Mr. Touchet's Veſſels, or even on the firſt Purchaſe of Gram, made for that Purpoſe in January 1782, which was not actually invoiced and diſpatched; nor did I charge Commiſſion on the other incidental Expences which appear in my Monthly Accounts; and I thought this a liberal Conſtruction of the Board's Reſolution, which admitted a Claim of 5 ℔ Cent. upon all Charges. If I have erred in any Part of it, my Accounts are open to Correction, and I ſhall be ſatisfied with any Adjuſtment the Board may think fit to order.] (*a*) ☞

" Calcutta, (Signed) " J. P. Auriol."
" 10th November 1783.

(Signed at the End of the Conſultation)

" Warren Haſtings,
Edwd Wheler,
John Stables."

Read, from Book 456, already delivered in, the following Extract of a Conſultation of the 24th February 1783.

☞ [" Fort William, the 24th February 1783.

" At a Council; Preſent, Pub. Dept. Monday.
The Honble. Warren Haſtings, Governor General, Preſident;
Lieutenant General Sir Eyre Coote,
Edward Wheler,
John Macpherſon, } Eſquires.
John Stables,

" Honble. Sir and Sirs,]

§ (" I have had the Honor to receive your Orders, founded on the Commands of the Honble. " the Court of Directors, dated 12th July, for putting an End to my Commiſſion on the Supplies Agent for Supplies. ☞

(*a*) Vide Appendix, N° CCII.

" to the other Presidencies, as they are pleased to direct that this Business shall in future be per-
" formed by Contract.

* Sic in Orig. " I * compliance with your Directions, I had sent down all the Gram necessary for loading Mr.
" Touchet's Vessels, which were ready before the 20th Inst. and had purchased Rice for loading
" the Company's Ships bound to Madrass and Bombay, a great Part of which is already on Board.
" After this Service is accomplished, I shall consider my Office abolished; and in order to prevent
" Confusion in Accounts, I beg Leave to propose, with your Approbation, to adjust my Dis-
" bursements and Commission finally, with the Invoices of these Dispatches, and to receive an
" Order for the Balance which may then appear to be due to me.

" It is possible I may not meet with universal Credit, if I attempt to draw a Comparison be-
" tween the annual Rates of my Agency, and those of a probable Contract; and this is a Subject
" which perhaps I could not write upon without a Bias. My original Propósal was either for a
" Contract or an Agency; the Board thought it preferable to adopt the latter. The necessary Sup-
" plies to Fort St. George have exceeded all Expectations formed at that Time, and the Extent
" of them has rendered the Agency an Object of such Magnitude as it is, though less in Fact than
" it appears to be, as I have explained in former Letters, from the considerable private Loans I
" have taken up to support it, and the Accumulation of Interest upon them. I do not urge this
" now as an Objection, but merely to set the Matter in its proper Light.

" Whatever my Pretensions might have been from long and faithful Services in a laborious Line
" of Duty, I beg Leave to acknowledge with great Gratitude to my Superiors, that I feel the
" Obligation of my Reward. I am truly sensible of my Duty to the Publick Interests, and from
" a pure and disinterested Wish to promote them to the utmost of my Abilities,") § ☞ [" I am induced to make an Offer of my Services, in the present critical and necessitous Time, to continue furnishing the Supplies, which are so very essential to the Existence of the Inhabitants at Fort St. George, for the present Season, or till the 31st December next, without any Commission or Advantage whatsoever to myself, and to such Extent as you may judge expedient to grant me the Resources; for I hope it is unnecessary to add, that I shall do it upon the easiest Terms which may be procurable, and deliver my Accounts monthly, as at present upon Honour, or under such Obligation as you think it proper to lay upon me.] ☜

§ (" For this Offer I have no siniſter Motive, nor any Object in View, but the Publick Benefit,
" to which I am actuated by a zealous Attachment to the Company, in whose Service I have risen
" to my present Station, and to the true Interest of my Country, as a faithful Subject of it; and I
" make the Offer, because the President and Council at Fort St. George, in their Letters of the
" 11th September and 21st December, and others, have repeatedly requested that this Government
" would continue and increase the publick Supplies to them; and in the last they say, 'We repeat
" our Request, that you will be pleased to send us as large Quantities as you can procure Tonnage
" for, which we desire, because the Supply of private Traders is always precarious, and that it is
" likely you may send it to us on cheaper Terms than we can reasonably expect from the Indivi-
" duals, who must live by the Profit they gain upon it.") §

☞ " Calcutta,
the 24th Feb. 1783.

[" I have the Honor to be,
" Honble Sir and Sirs, &c.
(Signed) J. P. Auriol."] ☜

(Signed at the End of the Consultation)

" Warren Hastings,
John Macpherson,
John Stables."

Read, from Book 457, already delivered in, the following Extract of a Consultation of the 10th April 1783, beginning at Page 168 of the same Book.

" Fort William, 10th April 1783.

Pub. Dept. Thursday. " At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler,
John Macpherson,
John Stables, } Esquires.

* Sic in Orig. " Agreed to accept Mr. Ferguson's Proposals for One hundred and forty thousand Bgs, * at Six Sicca Rupees Twelve Annas ℔ Bag.

" Ordered, That the Company's Attorney be directed to prepare a Contract accordingly.

" Agreed also to accept the Honble. Robert Lindsay's Proposals for Fifteen thousand Bags. This Proposal being of a different Nature, and very eligible in itself, the Board think it worthy of their Acceptance; but the Terms of Freight being left for the Board's Decision,

" Agreed,

" Agreed, That Six Rupees, Twelve Annas, the Rate at which Mr. Ferguſon is to ſupply his Rice, be offered to Mr. Lindſay for his Acceptance.

" Warren Haſtings,
John Stables." (*a*)

The Managers for the Commons informed the Houſe, they had cloſed their Evidence on the Subject of Mr. Auriol's Agency; and ſhould now proceed to the other Agency charged in the Article, in which Mr. Belli was employed to ſupply a Depôt of Proviſions at Fort William.

Read, from Book 453, already delivered in, the following Extract of a Conſultation of the 4th November 1776, beginning at Page 422 of the ſame Book.

☞ ["Fort William, the 4th November 1776.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell,
Philip Francis, } Eſquires.
Lieutenant General John Clavering indiſpoſed.

" The Governor General delivers in the following Minute.

" The Governor General recommends the following Plan for ſupplying the Garriſon of Fort William with a continual Store of Proviſions ſufficient for a Siege. He ſuppoſes the probable Number of Europeans to conſiſt of 2,500 Men, and of Sepoys and other Natives attendant on the Garriſon, 13,000, as per Eſtimates N° 1 and 2. On theſe Data the Eſtimates N° 3 and 4 of the Proviſions required for Europeans and Natives reſpectively are formed; N° 5 is the Aggregate of theſe, and contains an Account of all the Articles and victualling Stores propoſed to be kept up.

1ſt, " That an Agent be appointed for Proviſion of victualling Stores for the Garriſon of Fort William.

2d, " That he do without Delay provide the Stores mentioned in the Indent N° 5, in the full Quantities of each therein ſpecified, at the current Bazar Rates, delivering Muſters of each Article, with their Prices, for the previous Approbation of the Board.

3d, " That proper Places in the Fort be allotted for their Reception, and that they be placed under the joint Charge of the Agent and of the Fort Major, who ſhall keep ſeparate Keys of the ſame.

4th, " That for the Purpoſe of keeping up a conſtant Supply of freſh and good Stores, the Agent ſhall be required to change them, and to ſupply their Places with new Stores ſo often as may be neceſſary to prevent their Decay, and that he be permitted to diſpoſe of the old Stores in any Manner which he ſhall think proper, at his own Riſk.

5th, " That the Agent be allowed an annual Commiſſion of * per Cent. upon the prime Coſt of all the Stores ſo provided, which ſhall be paid him annually; the Firſt Payment to commence on the 1ſt of May 1777, and which ſhall be a full Allowance for his Trouble, Riſk of the Markets, Loſſes by Decay, and Waſtage, Servants Wages, Cooley Hire, and all other Expences of what Nature ſoever. * Six in Orig.

6th, " That as Madeira Wine is now at a lower Rate than it has ever yet been known, and as for the ſame Reaſon it may be expected to riſe conſiderably in the Price of the future Importations, the Commiſſion upon this Article be reckoned on the full Quantity to be kept in Store at the current Price of each Year, to be aſcertained by the Medium of the Sales at Outcry.

7th, " That the Agent ſhall be allowed 25,000 Rupees in Advance for his firſt Purchaſes, and the ſame Sum for every Supply delivered by him to that Amount, until the whole Deliveries and Payments ſhall be completed.

8th, " That if it ſhall be judged neceſſary at any Time to increaſe the Quantity of any Article or Articles of the Stores, or to provide others not ſpecified in the original Indent, he ſhall be allowed the advance Commiſſion upon theſe as upon the former.

9th, " That the Fort Major ſhall examine every Delivery of Stores, and ſhall reject ſuch as ſhall be inferior to the Muſters which for that Purpoſe ſhall be delivered into his Charge, and ſhall be annually changed for others of equal Quality; and he ſhall certify the Quantity of each Delivery, and his Certificate ſhall be the Agent's Voucher for every ſuch Delivery.

10th, " That the Fort Major ſhall in like Manner certify every Quantity which ſhall be taken away by the Agent, and this Certificate alſo ſhall be a Voucher for the Quantity ſo taken away; but the Fort Major ſhall not ſuffer any Quantity to be removed until he ſhall have received a formal Notification from the Agent, that he has a like Quantity ready to replace it, which ſhall be done within Ten Days of ſuch Notification.

(*a*) Vide Appendix, N° CCIII.

11th, " That the Fort Major ſhall be allowed for his Service the following fixed Eſtabliſhment.

" One Engliſh Writer ——— R^{s} per Month.
" Sircars
" Weighman's Office,
" Servants, Paper, &c.

12th, " That he ſhall keep an Account of all victualling Stores, ſpecifying the Dates of all the Receipts and Iſſues, for the occaſional Inſpection of the Board.

" The Profit of the Agent is to conſiſt only of a Commiſſion or Percentage on the Firſt Amount of the Stores. This I have left a Blank, wiſhing to fix it at the Sum which the other Members of the Board may think reaſonable.

" Many of the Articles, ſuch as Ghee, ſalted Meat, and dried Fiſh, will be a total dead Loſs; at leaſt ſo I judge from former Experience. With good Management he may ſave himſelf in the Articles of Gram and Firewood.—The Waſte in Oil, Madeira Wine, Arrack, and Vinegar, is certain.

" The Proportion which theſe Loſſes may amount to, may be aſcertained by conſulting thoſe who have had Dealings in theſe ſeveral Articles of the Contract. The Commiſſion ſhould be made up of the following Heads.

" 1. Loſs by Decay, Waſtage, and Variations of the Markets.
" 2. Compenſation for the Agent's Trouble.
" 3. Servants Wages, Cooley Hire, and other Expences.

" I ſuppoſe that he will neither gain nor loſe by the firſt Purchaſe, which I believe is exactly conformable to the Market Prices, of which I have taken ſome Trouble to inform myſelf.

" An Advertiſement for a Contract for ſuch Stores would be improper; it would be to tell the World what Proviſion was made for the Defence of the Garriſon.

" The Benefit to reſult to the Company from this Plan is, firſt, to have a continual and certain Supply of a known Quantity of Proviſions for the Garriſon, good, and always fit for Uſe; and, ſecondly, to have the Expence attending them fixed to one Sum for the firſt Purchaſe, and to one annual Sum ever after, free from all Hazard of Deficiencies, Decay, and contingent Expences.

" If the Plan will anſwer theſe Ends, it will produce an Effect unknown, I believe, in any Garriſon in Aſia or in Europe."]

§ (" Ordered, That all the Papers referred to in the above Minute, be entered after the Conſultation.

" Mr. Francis deſires to record the following Minute.

" I agree with the Governor General, that it is proper, in all Circumſtances, and more particularly perhaps in the preſent Conjuncture, that a Store of Proviſions ſhould be collected and depoſited in Fort William. The Exiſtence of a Fort and Garriſon implies the Poſſibility of a Siege, and, of courſe, the Neceſſity of being prepared for it; or at leaſt againſt an immediate Alarm, in which Multitudes would hurry into the Fort, without the Means of Subſiſtence. The Alarm itſelf would probably diſperſe the People who ſupply the Bazars, and make it difficult to collect a ſufficient Quantity of Proviſions, at the Time when they might be moſt wanted. But a Supply neceſſary to anſwer ſuch an Emergency, need not, in my Opinion, be extended to the Expectation of a regular, continued Siege of Four Months. I am not convinced of the Poſſibility of any European Power landing ſuch a Force in Bengal, as would be ſufficient firſt to beat and diſperſe our Army in the Field, and then to inveſt and lock up the ſuppoſed Number of Fifteen thouſand Men in the Fort for Four Months. Such a Force, I preſume, could neither bring Proviſions with them equal to the Time, nor find Subſiſtence in the Country. The latter could not be done, unleſs they were in peaceable Poſſeſſion of the Provinces, and had no Military Object to attend to but the Siege of Fort William. This ſuppoſes the previous Conqueſt of Bengal, by an Army penetrating into the Heart of an Enemy's Country, and leaving the principal Fortreſs behind them. A Plan of that Nature might do temporary Miſchief, but muſt end in the Ruin of the Invaders.

" It is poſſible, I confeſs, and this I think is an Object that demands the Attention of Government, that the Commandant of Chunar might be inſtructed to form Magazines of Stores, and that he might conduct his Meaſures for that Purpoſe with Secrecy: At all Events, the firſt Thing to be done, in caſe of an Invaſion, would be to ſecure Chandernagore.

" The Object againſt which I think a Proviſion of Stores ſhould be made, is the immediate Alarm, the firſt Effects of it, and the Neceſſity of ſubſiſting a Multitude of People for a ſhort Period. Three Months is the utmoſt I ſhould provide for in any of the periſhable Articles: A greater Supply of the other Articles, ſuch as Rice, Oil, Sugar, Salt, and Firewood, might be depoſited without Loſs or Inconvenience.

" On theſe Principles, ſuppoſing the Quantity diminiſhed in Proportion, I ſhould not regard the Loſs which Government might incur by Waſte or Decay in the periſhable Part of the Proviſions; if any tolerable Care be taken by the Agent and Overſeer, it could not be a conſi-

" derable Object: The firſt ſhould be a Britiſh Subject of eſtabliſhed Character and Credit. The " preſent Fort Major is undoubtedly a qualified Perſon in every Reſpect for the Duty aſſigned to " him, and equal to any Truſt: But I think that officially there ſhould be ſome Check and Con- " troul veſted in the acting Commandant of the Fort, to inſpect the State of the Stores for the Uſe " of the Garriſon under his Command, for the Safety of which he is immediately reſponſible.

" I ſee no material Objection to the propoſed Regulations, and I would not cavil about Trifles. " As to the Amount of the Agent's Commiſſion, I confeſs myſelf unable to judge by what Prin- " ciple it can be determined with Accuracy. The Opinions of Perſons of Credit, converſant in the " Inland Trade, and who may have dealt in the ſeveral Articles of Supply, and are acquainted " with the State and ordinary Fluctuations of the Markets, ſhould be taken on this Point. If the " Service be neceſſary in any Degree, it is a Service of the firſt Neceſſity, and ſhould not be ſtinted " for the Sake of any inconſiderable Saving, which in the Event perhaps might only be appa- " rent.

" While this Subject is before us, I wiſh to recommend to the Attention of the Board another " Object of Supply, which, in the Caſe ſuppoſed, would not perhaps be leſs neceſſary than that " of Proviſions, I mean, a Depoſit of Caſh ſufficient to anſwer the indiſpenſible Demands of " Government for a given Time. The Court of Directors, in the Year 1770, were of Opinion, " that 30 Lacks in Specie ſhould conſtantly be reſerved in the Treaſury; and they expreſsly " gave the Precedence to this Object even before the Diſcharge of their bonded Debt. I " beg Leave to annex a Copy of the Orders alluded to. Their Ideas were in Part the Founda- " tion of that Opinion which was oppoſed to the total and immediate Liquidation of the Debt. " Whenever an Invaſion ſhall happen, it is not to be doubted, that every Rupee in the Hands of " the Natives will diſappear; the Tie, by which a Number of wealthy Perſons were attached to " the Intereſt of the Company, is diſſolved; and to borrow Money, or even to collect the Rents " in ſuch a Country as Bengal, while the Alarm of an Invaſion exiſts, is a Reſource, I preſume, " not to be thought of. I would therefore adviſe, that if there be an unappropriated Surplus now " in the Treaſury, as far as Thirty Lacks of Sicca Rupees at the leaſt, it ſhould be immediately " removed, and depoſited in the New Fort.

" If we are not in a Condition to make ſuch a Depoſit, I muſt attribute it to that Meaſure " which threw into the Hands of Individuals a Sum of Money which they did not want; and " under the Pretence of ſaving to the Company a Penſion of Two Lacks, not likely to be felt " either as a Saving or a Loſs, annihilated a capital Fund of Forty Lacks, the only one per- " haps on which we could depend for the Safety of the Territory.

" 4th November. (Signed) " P. Francis."

" Extract of a Letter from the Court of Directors to the Select Committee, 23d March 1770.

" Par. * Having thus apprized you, that every other Conſideration is to give place to the eſſen- " tial and primary Object of your Inveſtments, we ſhall readily admit that the next Concern is, to " have a large Balance remaining in your Treaſury; to which End we do agree, that your preſent " Debt at Intereſt may continue until you ſhall have in Calcutta to the Amount of upwards of " Thirty Lacks of Rupees; and then the Sums only exceeding Thirty Lacks ſhall be applied to " the Reduction of the Debt: This once diſcharged, or reduced to the Amount only of the Mili- " tary Fund, we may reaſonably hope for ſuch an Accumulation of your Treaſury as will ere long " be ſufficient for any Emergency." * Sic in Orig.

" The Governor General.—The Papers compoſing my Plan for the Supply of Garriſon Provi- " ſions, were drawn up before the Minute in which I recommended Capt. Kyd to fill the Office of " Secretary to a New Military Council. The Duties of this Office will employ as much of his " Time as he can ſpare from his other Avocations. For this and the other Reaſons urged by Mr. " Francis, I adopt and recommend the Alterations propoſed by him, in the Check propoſed to the " Agent, namely, that the Officer commanding for the Time being in the Fort be entruſted with " One of a Set of Keys of the Victualling Store Rooms, with the Charge and Powers propoſed in " the Plan to be veſted in the Town Major. I alſo acquieſce in the Reduction propoſed of the " Quantities to be kept in Store, to a Quantity equal to Three Months Conſumption inſtead of " Four. I alſo agree to the Propoſal of laying up 30 Lacks of Rupees, a Fund for Military Exi- " gencies, in the Fort. In my Opinion, the groſs Amount of the Public Treaſure ought always to " be depoſited in the Fort. I think Mr. Francis's Propoſal ſufficient, and I will look out for a " proper Place, in which the Money may be lodged. I beg leave to add a few other ſhort Obſerva- " tions on Mr. Francis's Minute. I do not think there is more Danger of an Invaſion from the " French at this Time, than there has been theſe Five Years paſt, and I am in my own Mind firmly " perſuaded that they never will attempt it by Sea. The Dangers and Difficulties attending it " are, in my Comprehenſion of them, inſurmountable; but I do not think this will acquit the Board " of Blame in omitting to provide againſt even the Poſſibility of ſuch an Event: If the Fortreſs " itſelf is neceſſary, it is equally neceſſary it ſhould have Men to defend it; that it ſhould have " Military Stores to enable them to ſuſtain a Siege, and Proviſions on which they may ſubſiſt. We " have a full Treaſury, and every Rupee of it which we can employ in uſeful Purpoſes will revert

" to us in Part by its Circulation. I think it neceſſary further to add, that almoſt all the Arti-
" cles, and every one of the moſt neceſſary Articles that I have propoſed to lay in Store, might
" be collected from the Markets of Calcutta, in a Quantity far exceeding that now required, with
" a very few Days Notice: But though this may be the Caſe in a Time of Peace and Quiet, I
" doubt whether they could be procured amidſt the firſt Hurry and Terror which would affect the
" Minds of the People in caſe of actual Invaſion. Upon the Whole, I confeſs, that in the Plan
" propoſed I wiſh rather to guard againſt Poſſibilities than Probabilities, and to accommodate my
" own Conduct in an Inſtance of ſo public a Nature, to what I believe to be the Opinions and
" Expectations of others, yet more than my own. I wiſh to receive the further Sentiments of the
" other Members of the Board upon the Plan itſelf, before I propoſe what remains for the Con-
" cluſion of it."

" Mr. Barwell aſſents to the Governor General's Propoſal, with the Alterations above-men-
" tioned.")

§

☞ ["Ordered, That the Secretary requeſt the Opinions of ſome of the Principal Merchants in Calcutta ſeparately, on the Amount of Commiſſion which ought to be allowed for providing the Articles propoſed, and that the Blank in the Governor's Minute do remain until this Report be received."] (*a*)

(Signed at the End of the Conſultation)

" Warren Haſtings,
Rich[d] Barwell,
P. Francis."

Read, from the ſame Book, the following Extract of a Conſultation of the 7th November 1776, beginning at Page 461, of the ſame.

" Fort William, the 7th November 1776.

Secret Dept Thurſday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Richard Barwell, Philip Francis, } Eſquires.
General Clavering indiſpoſed.

" The Proceedings of the 4th read and approved.

" The Secretary having conſulted three of the principal Merchants of Calcutta, on the follow-
ing Queſtion, which he ſtated to them, begs leave to report their Anſwer to the Board.

Secretary's Report.

" Queſtion.—What Commiſſion do you think will be adequate to an Agent for providing and laying in the Stores mentioned in the Liſt which I now ſhew you, and engaging to keep the ſame conſtantly in good Order and fit for Uſe, he ſuffering any Loſs which may accrue upon them by Waſtage or Decay. The Commiſſion to be rated as follow, upon the prime Coſt of the Goods, and to be paid annually, in Compenſation for the Riſk and Expence of keeping them in good Order, by ſupplying freſh in the Room of any Part which ſhall decay, viz.

Loſs by Decay, Waſtage, and Variation of the Market.
Compenſation for the Agent's Trouble.
Servants Wages, Cooley Hire, &c. &c.

" Anſwer.—Having read and conſidered the above Queſtions, I am of Opinion that no Agent can undertake to ſupply the Stores required, and to keep up the ſpecified Quantity in conſtant good Order, for leſs than the following Conſideration:

For the 1ſt Article	—	12	℔ Cent.
For the 2d	—	5	℔ Cent.
For the 3d	—	3	℔ Cent.

(Signed) " John Robinſon."

" I am of the ſame Opinion.

(Signed) " Charles Croftes."

" I am of the ſame Opinion.

(Signed) " David Killican." (*b*)

(Signed at the End of the Conſultation)

" Warren Haſtings,
Rich[d] Barwell."

(*a*) Vide Appendix, N° CCIV.

(*b*) Vide Appendix, N° CCV.

The

The Managers for the Commons ſtated, they ſhould next read the Firſt of General Clavering's Minutes of Remonſtrance on this Subject.

Read, from the ſame Book, the following Extract of a Conſultation of the 2d December 1776, beginning at Page 587, of the ſame.

" Fort William, the 2d December 1776.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
General Clavering,
Richard Barwell,
and
Philip Francis,
} Eſquires.

☞ [" General Clavering.—The Court of Directors have been ſo often amuſed with Projects of private Benefit, and Jobs concealed under the Cloak and Appearance of the publick Good, decorated with all the Colours that Artifice and an affected Zeal for the Company's Proſperity could give them, that it will not ſurprize *, after their Experience of the Fallacy of them, that they may doubt a little, whether the preſent Project for victualling the Fort, as it is propoſed by the Governor General, may not conceal likewiſe a Job, to ſerve a Dependant. The Hiſtory of the laſt Six Weeks would authorize any Suſpicion that can be formed, that nothing leſs than the Company's Intereſt has been conſulted in the various Meaſures that have been adopted, whether in this Department, in that of the Revenue, or the Board of Inſpection. The Papers which have been laid before the Board, by the Governor General, for victualling the Fort in caſe of a Siege, were prepared by my Orders, and laid by me before the Board of Ordnance, with an Intention that the Government ſhould be at all Times informed of the different Articles that were neceſſary to ſupply the Fort in caſe of an Exigency. I did not mean to propoſe making an immediate Proviſion of the Articles, excepting of Rice and Firewood, till we had certain and preciſe Advices of Danger threatning this Settlement; and I had intended that thoſe Articles ſhould have been laid into the Fort without the leaſt Expence to the Company. I meant that the Perſon who ſhould have the Commiſſion for laying in thoſe Two Articles, ſhould derive his Profit for his Labour on the Sale of One Half of them annually, and to re-purchaſe the ſame Quantity at the proper Seaſons for laying in the Supply. I underſtand that a Profit might be derived from the Method of ſelling theſe Articles when they are at the deareſt, and buying when they are at the cheapeſt: That would ſufficiently indemnify the Agent for his Trouble. Nothing more would be required by this Plan, than to make the neceſſary Advances for the firſt Purchaſe, the Company not ſuffering any Loſs either by the Waſtage of Stores or by paying a ℔ Centage for the Purchaſe of them. I ſhall therefore object for the preſent to any other Stores being laid in than Rice and Fire Wood, as well as to any Commiſſion being given to any Body for that Purpoſe.]

The General's Minute on victualling the Garriſon.
Do. on victualling the Fort.
* Sic in Orig.

(Signed at the End of the Conſultation)

" Warren Haſtings,
J. Clavering,
Rich[d] Barwell,
P. Francis."

Read alſo, by Deſire of the Counſel for the Defendant, the following further Extracts from the ſame Book and ſame Conſultation, beginning at Page 593, of the ſame.

§ (" The Governor General delivered to the Secretary the following Minute, with Directions that " it ſhould make a Number in the Naſſau's Packet, which, after having been circulated for the " Information of the other Members of the Board, was accordingly done.

P. 600. " In the Opinion given by General Clavering upon my Propoſal for laying up a " Store of Proviſions for the Garriſon of Fort William, his uſual Temper has diſplayed itſelf by " an Attempt to vilify the Plan with hard and coarſe Invectives, inſtead of offering any Objections " to the Propriety of it. Artifice, an affected Zeal for the Company's Proſperity, Projects of " private Benefit, and Jobs to ſerve a private Dependant, are the Expreſſions and Reaſonings by " which a Member of this State examines the Utility of a public Meaſure. He has probably " heard, or, if he has not, I will now declare that I do mean to propoſe a Gentleman of my own " Family for this Truſt; I mean my Secretary Mr. Belli, not becauſe he is a private Dependant, " whoſe Services and Fidelity for more than Four Years paſt have hitherto received no higher " Reward than a Salary of 300 Rupees per Month; but becauſe I think the due Diſcharge of " this Truſt of ſuch Importance, and ſo immediately my own Province, that I wiſh to employ in " it the Perſon on whoſe Honor I can place the beſt Dependance.

Propoſals entered in ſecret Conſultation, 4th Nov.; Accounts in 7th Nov.; Copy of the General's Diſſent; ſent a Number in the Packet, not being yet recorded.

" The

" The General has miſtaken the Papers which were laid by me before the Board, with the Plan;
4th Nov. " they differ totally and eſſentially from thoſe which the General delivered to the Board of Ordnance, both in Form and Subſtance, and the Principles on which they were formed were dictated by myſelf, though the ſame Hand executed them that the General employed for the like Purpoſe.

General's Minute a Number in the Packet. " If I rightly underſtand the General's Plan, it is this: That the Agent ſhould be allowed a Sum in Advance equal to the Quantity of Rice and Firewood to be laid up in Store. This Quantity he was to provide, and always preſerve undiminiſhed, and not for his own Advantage only, but for the Means of keeping the Supply of each Article freſh and fit for Uſe; he was to be permitted to diſpoſe of them from Time to Time, and to replace them by new Purchaſes, conſulting his own Advantage in the Change of the Rates of the Markets:—But, if he was not allowed to diminiſh the Quantity in Store, I do not ſee how he could have availed himſelf of the Rates of the Markets, which can never be favourable at the ſame Time to the Seller and Purchaſer.

" No Dealer in Grain will make Choice of a fortified Place for a Gunge. The numberleſs Reſtrictions of a Garriſon, and the Horror of Centries ſtationed in every Paſſage, will, whether well or ill founded, be an inſurmountable Objection to any of the native Merchants accepting the Agency on ſuch Terms; even an European will be ſubject, though in a leſs Degree, to the ſame Inconvenience. In ſhort, the General's Plan appears to me (I beg his Pardon if I miſconceive it,) to offer ſomething leſs than the common Profits of a free and optional Trade as the Recompence for a reſtricted one, for it is ſelf-evident that the propoſed Dealer in Grain having the ſame Option of buying it, when it is cheap, for his own Advantage, at his own Riſque, with no other Reſponſibility, and of ſelling it when it is dear, in the eſtabliſhed Market known and acceſſible to all Men, will be no Gainer by being allowed to ſell Grain in the Fort, under the Engagement of keeping up the ſame Store accountable for its Quality, and of courſe ſubject to the Will of thoſe who are to be the Judges of it, and confined to a Place to which no Man will reſort, and abandon the common Markets, without the Certainty of extraordinary Advantages, which will be a proportionable Loſs of courſe to the Proprietor.

Conſultation, 4th Nov. " In ſhort, I have taken more than ordinary Trouble to draw up the Plan which I recommended.—I have the ſtrongeſt Conviction that the Principles of it, which are new to me at leaſt, are the beſt adapted to the Deſign. The Form of it is ſimple, the Expence is fixed and exempted from Contingencies, a conſtant Supply of the moſt neceſſary Articles of Proviſions for the Garriſon will be ſecured againſt the Time of Need, and the Intereſt of the Agent is concerned in the faithful Diſcharge of his Truſt, becauſe, if the Stores are originally bad, they will be rejected, and if they are damaged by his Neglect, he will loſe by the Sale of them.")

Read, from Book 454, already delivered in, the following Conſultation of the 13th January 1777.

" Fort William, the 13th January 1777.

Secret Dept Monday. " At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, Preſident;
Lieut. General John Clavering,
Richard Barwell, } Eſquires.
Philip Francis, }

" The Proceedings of the 30th ultimo read and approved.

" Read, the following Letters from Mr. Briſtow.

" Honble. Sir, and Sirs,

Mr. Briſtow's 2 Letters. " The Bearer, Holanſee Lob, accompanies the Honble. Company's Treaſure diſpatched from this Place agreeably to the Invoices under Date September 30th and November 30th. He is the Gomaſtah of Caſhmere, Mull, and Bockrage, the Shroffs I have employed in receiving and ſhroffing the Company's Monies. As Caſhmere, Mull, and Buckrage muſt be anſwerable in caſe of the Specie turning out different from the Invoice, they have ſent theſe their Agents, to be preſent at the counting and delivering the Money in Calcutta.

" I am, &c.

" Lucknow, November 11th 1776. (Signed) " John Briſtow."

" Honble. Sir, and Sirs,

" I have received the Honourable Board's Letter of the 2d inſtant, and, agreeable to their Inſtructions, ſhall deliver up the Charge of my Office to Mr. Nathaniel Middleton on his Arrival at this Court, and proceed myſelf to the Preſidency.

" My

" My attending his Excellency the Vizier on a Viſit to this Place, puts it out of my Power to pay implicit Obedience to the Honble. Board's Orders, with reſpect to preparing and tranſmitting an Account of the Monies advanced and paid for the Charge of raiſing and maintaining the Military Eſtabliſhments; but I have written to my Aſſiſtant at Lucknow on the Subject, deſiring him to uſe all Expedition in diſpatching it.

" I have, &c.

" Camp near Belgram,
21ſt December 1776.

(Signed) " Jno. Briſtow,
" Reſident at the Vizier's Court."

" The Treaſure remitted by Mr. Briſtow being arrived, with the Letter from him of the 11th November, under Charge of Lieut. Downes, the Invoice which accompanied it was ſent to the Treaſury, with an Order to receive it, and to permit the Shroff mentioned by Mr. Briſtow to be preſent at the Shroffage thereof.

" The Commander in Chief having ſent in the Two following Letters to him from Lieut. Colonel Goddard, the Secretary immediately circulated them for the Information of the Board, and tranſmitted Copies of them to Europe, in the Triton's Packet.

" To General Clavering.

" Sir,

Lieut. Col. Goddard's Two Letters.

" I before did myſelf the Honor to acquaint you, that, after reducing the Forts in the Corah Province, I had marched towards the Donab, in order to demoliſh thoſe of any conſiderable Strength in that Country. I have now to inform you, that ſome Days ago I arrived before Seckereny, a Fort belonging to Futty Chund Patuck, a rebellious Zemindar, and planted a Battery againſt it of Two Eighteen Pounders, which continued playing for Two Days, when this Evening, thinking a Breach practicable, I ordered Captain Lane, with Six Grenadier Companies, to march to attack it; I alſo ordered Ten Sepoy Companies beſides down on either Side of the Fort, in order to aſſiſt if Occaſion required, and to prevent the Enemy from eſcaping, as I conſidered the ſecuring and making an Example of this Man, might be attended with good Effects upon the other Zemindars of the Donab. Lieutenant Blacker ſtormed firſt with Two Grenadier Companies, but was unfortunately wounded in mounting the Breach; Captain Lane, who marched up to his Support, alſo fell. Theſe Circumſtances, added to the deſperate Reſiſtance made by the People in the Fort, who threw down Pots of Powder and all Manner of Combuſtibles upon the Sepoys Heads, ſo diſpirited them, that they gave Way on all Quarters, and could not be brought to renew the Attack; and in the Confuſion and Hurry of the Men retreating from the Fort, thoſe within found Means to effect their Eſcape, and abandon it. Many of my People are killed and wounded; but as I write this immediately after the Affair has happened, I cannot exactly aſcertain the Number. I will do myſelf the Honour to write you more particularly To-morrow. Capt. Lane and Lieut. Blacker are, I fear, mortally wounded. Lieutenants Moore, Park, and Montague have received Wounds; but they do not appear dangerous. I have to requeſt you will pleaſe to lay this Circumſtance before the Honble. Board.

" I have, &c.

" Camp before Seckereny,
Dec. 25th 1776.

(Signed) " Thoˢ Goddard."

" Sir,

" I did myſelf the Honor of writing to you the 25th inſtant, informing you of the Attack made upon Fort *Seckreny, and the deſperate Reſiſtance of the People in it. I now take the Liberty of encloſing you a Return of the Killed and Wounded. As I have already given you a particular Account of this Affair, I have only to add, that upon Examination of the Fort next Morning, I found that I was right in my Opinion of the Breach being practicable: I muſt attribute the Loſs of ſo many Men to their Officers being wounded at the Beginning. This unlucky Accident, together with the Combuſtibles tumbled from the Walls into the Ditch, intimidated them ſo much, that they could not be brought to advance beyond the covered Way, where they were entirely expoſed to the Fire of the Enemy's Matchlocks. Lieutenant Moore, the next Officer to Lieutenant Blacker, hearing of his Misfortune, put himſelf at the Head of the Party, and ran up to the Breach, encouraging the Men to enter it, but without Effect; and juſt at that Inſtant, he was wounded by a Spear from the Top of the Breach.

* Sic in Orig.

" I take the Liberty of mentioning to you, that the European Officers exerted themſelves in a particular Manner to animate the Troops with Confidence and Reſolution; and in Excuſe for the Backwardneſs of the Sepoys, I muſt obſerve, that they are new raiſed Men, and unaccuſtomed to Service. I have not, however, any Doubt but they will behave with proper Spirit on the next Occaſion, as they ſeem ſenſible of their Miſconduct on the preſent one, and had the Reaſon of their Miſcarriage explained to them. I am concerned to inform you that Captain Lane, who was ſhot through the Body, is juſt expired of his Wounds. There is a Poſſibility of Lieutenant Blacker's Recovery, but the Surgeon cannot at preſent ſpeak with any Certainty. The Reſt

of the Gentlemen I mentioned to have been wounded in my former Letter, are in a favourable Way.

" I have, &c.

" Camp near Seckreny,
Dec. 27th 1776.

(Signed) " Tho$ Goddard."

" Ordered, That the Return of the Killed and Wounded, enclosed in the above Letter, be entered after the Consultation.

" Read, the following Letters from Lieutenant Colonel Goddard.

" Gentlemen,

Lieut. Col. Goddard's Two Letters.

" I had the Honor to receive your Letter of the 2d instant, and, in Obedience to your Orders, have directed the Gentlemen under my Command to send me an Account of the Money they have received since their Appointment, and for what Purpose of the Service expended, with the necessary Vouchers; all which shall be transmitted you without Delay.

" I have, &c.

" Camp before Seckreny,
Dec. 26th 1776.

(Signed) " Tho$ Goddard."

" Gentlemen,

" In a Letter I had the Honor to address you of the 15th instant, I informed you that the principal Forts in Corah being reduced, I should proceed towards the Donab in order to fulfill the Vizier's Intentions of levelling those in that Province also. I accordingly marched to Sickreny, the Residence of a rebellious Zemindar, Futty Chund Patuk, whose particular refractory Behaviour pointed him out to me as the most proper Object for an Example to strike Terror into the other Zemindars, and I invested his Fort so closely, that it was impossible for him to effect his Escape. In this Hope of securing his Person, I was however disappointed, for on the Evening of the 25th instant he found Means to get off, with almost all his Followers, amidst the Confusion that ensued upon the Sepoys failing in the Attempt to storm a practicable Breach that had been made in one Part of the Wall. The Particulars of this Affair I have already laid before the Commander in Chief, and transmitted him a Return of the Killed and Wounded. I have also acquainted him with the unfortunate Accident that happened to Captain Lane, who died the 27th instant, of a Wound he had received through the Body.

" I beg Leave to inform you that I shall advance in a few Days against the other Forts of the Donab, which are very numerous, and remarkably strong. I am therefore hopeful that my Application for an Engineer has before this been complied with, as the Service of an Officer skilled in that Branch would much assist the present Expedition.—I must also take the Liberty of repeating a Wish I formerly made known unto you, that Twelve Men from the Invalid Corps might be permitted to join the Vizier's Troops, as I have had an Opportunity of seeing how useful they would prove on many Occasions.

" I have, &c. &c.

" Camp near Seckreny,
Dec$ 29th, 1776.

(Signed) " Tho$ Goddard."

" Agreed, That the following Reply be written to Lieut. Colonel Goddard.

" To Colonel Goddard.

" Sir,

" We have received your Letters of the 26th & 29th ult$.

" We are concerned to hear of the Death of Captain Lane, and of the unfortunate Loss sustained by the Corps under your Command in the Attack of Sickreny Fort.

" The Company having ordered a European Force to be constantly stationed at Chunar, and the Company of Invalids now at that Place being barely sufficient for the Duties of the Garrison, we cannot at present comply with your Application for Twelve of these Men to be employed in the Nabob's Service.

" We are, &c.
" Signed

" General Clavering lays before the Board the following Letter from Lieutenant Colonel Dow.

" To General Clavering, Commander in Chief, &c.

" Sir,

Lieut. Col. Dow.

" I have the Honor of transmitting a monthly Return of the Troops in this Garrison.

" Ajet Sing, a Raja on the Southern Frontier of this Province, is reported to be collecting a Force under the Command of Govind Giet, One of his Vassals, with an Intent of making an Incursion into Giet Sing's Territories towards Mirzapore. Some Acts of Hostility have been already committed. Giet Sing has detached a Force to oppose them, but has not as yet made any

any Application to me. Should he find it neceſſary, I ſhall act according to my Judgment of the Exigency, and deem the Protection of the Company's Territories, for ſo I deem this Province, a Part of my Duty.

" I have, &c.

" Chunar, 2d January 1777. (Signed) " Alex^r Dowe, Lt Col^l Commanding."

" Agreed, That the following Letter be written to Lieutenant Colonel Dow.

" To Colonel Dow.

" Sir,

" The Commander in Chief having laid before us your Letter to him of the 2d January, we think it neceſſary, in Reply, to authoriſe you to comply with any Requiſitions which may be made to you by Raja Cheit Sing, for the Aſſiſtance of a Detachment of the Company's Troops under your Command for the Defence of his Country againſt Invaſion, except in ordinary Caſes, when it may be in the Power of the Rajah by his own Force, and unaſſiſted by ours, to repel the Invaders.

" We are, &c.

" The Governor General having ſent to the Secretary the following Minute, it was immediately circulated with Mr. Johnſon's Accounts and Papers.

The Governor General's Minute.

" I have hitherto waited to receive and to examine Mr. Johnſon's Account of victualling Stores ſupplied by him, or committed to his Charge, and of the Expenditure of them, before I choſe to bring the Subject of the Plan, which I laid before the Board on the 1ſt of October laſt, again to their Notice. Theſe Accounts are now before the Board, and from them, and other Enquiries which I have made, I think that the Agent can have no Proſpect of indemnifying himſelf for the Loſſes which muſt ariſe on the Stores, many of them being of ſo periſhable a Nature as to loſe Half, and others more of their Value in Twelvemonths; nor will the ſmalleſt Encouragement be afforded him for his Attention to his Truſt, by an Allowance of 20 ℔ Cent. on the Purchaſes, agreeably to the Opinions of Meſſrs. Robinſon, Killican, and Croftes.—If Mr. Johnſon's Accounts now before the Board may be depended on, a Loſs of above 90 ℔ Cent. on the Stores has been ſuffered during the Two Years they were under his Management, or 45 ℔ Cent. ℔ Ann.; therefore, I propoſe that an annual Commiſſion or Allowance of 30 ℔ Cent. on the Proviſion of all Stores ſhall be made to the Agent.

" Mr. Barwell.—I have inſpected the Accounts delivered in by Mr. Johnſon, and approve the Governor General's Propoſition of allowing the Agent a Commiſſion of 30 ℔ Cent. on his Purchaſes.—The Opinion of the Merchants cannot be oppoſed to Facts, and as the actual Loſs ſuſtained has hitherto amounted to upwards of 90 ℔ Cent. I give my Aſſent to the Governor General's Motion.

(Signed) " R. B."

" Ordered, That theſe Papers be entered after the Conſultation.

" The following Minutes were delivered upon the above Propoſition by the other Members of the Board.

General Clavering's Minute.

" However ready I am to dedicate my Time to the Public Service, and on all Occaſions diſpoſed to examine every Propoſal which may be ſubmitted to me by the Council with all due Attention, I muſt confeſs the invincible Repugnance I feel to undertake this Taſk, when I perceive on the Face of a Plan, ſuch as that which is under Conſideration for victualling the Fort, evident and unqueſtionable Marks of a Deſign to drain the Company's Treaſury, merely to benefit an Individual, under the ſpecious Colouring of Public Utility.

" My ſuppoſing that the Agency of this Scheme was intended for a Dependant, was a Suggeſtion that aroſe, as well from the obvious View I took of it, as from the preſent Diſpoſition of the Times, when Gratifications are diſpenſing on all Sides with a Bounty yet unknown, even in this Government.

" The Declaration which the Governor General has ſince made, that he means to propoſe his Secretary, Mr. Belli, for the Agency of victualling the Fort, relieves me, I confeſs, from the Difficulties I was under in conſidering the Plan, connected, as I was ſure it would be, with the private intereſted Views of a Dependant. Without the expreſs Authority of the Governor General, I could not have ventured to ſuppoſe him capable of propoſing a Perſon to exerciſe ſo great a Truſt, who is not in the Company's Service, and ſtill more, that this Perſon ſhould be his own Secretary.—As the firſt of theſe is an Impropriety that cannot be carried into Execution without a manifeſt Breach of the Company's Orders, directing that none but Company's Servants ſhall be employed in Places of Truſt, ſo the Second is replete with ſuch Objections as I think are irrefragable. Let me aſk, whether there is not the ſame Objection to the Governor General's Secretary being concerned in a Victualling Contract, as there does to his Banyan holding Farms or Contracts for the Inveſtment? And again, whether by the late Act of Parliament, which prohibits

hibits all His Majeſty's Subjects dealing in certain Neceſſaries of Life, excepting thoſe who may furniſh them for the Company, the Objections of the Secretary being that Contractor does not become more forcible.

" Beſides the Advantage that will accrue to him in dealing in the prohibited Articles excluſively, he will have the Benefit of the Aſſiſtance of the Aumeens, who are going into the Diſtricts to procure every Article of Proviſion, at his own Price. It is natural to ſuppoſe that thoſe People will endeavour to recommend themſelves to their Patron by exerting of their Power in favour of his Secretary: After this, when he brings his Proviſions to Calcutta, will not the Quantity he will have in Hand enable him at all Times to fix the Prices of the Market, by which the Rates of the Agent's Commiſſion of 30 ℔ Cent. is to be regulated?

" Theſe are the particular Objections to the Secretary's dealing in Proviſions; it remains to conſider the General Ones to the Expediency of the Meaſure, more eſpecially when the Governor's Secretary is to be the Agent Victualler.

" Firſt, I do not admit, that it follows of Courſe, that the Exiſtence of a Fort and Garriſon implies the Neceſſity of keeping it victualled: None of the Fortifications in England, in Scotland, in Ireland, in Guernſey, and Jerſey, have a ſingle Article of Proviſion in them. They, however, depend, as well as Fort William, on the Supplies that may be thrown into them on the firſt Alarm, though the ſame Effects, it muſt be ſuppoſed, would follow there which the Governor General repreſents would happen in Bengal on an Invaſion. He ſays, 'Almoſt all the Articles, and every one of the moſt neceſſary Articles that he has propoſed to lay in Store, might be collected from the Markets of Calcutta, in a Quantity far exceeding that now required, with a very few Days Notice; but though this may be the Caſe in Time of Peace and Quiet, he doubts whether they could be procured amidſt the firſt Hurry and Terror which would affect the Minds of the People in caſe of actual Invaſion.' In effect, ſo far ſhould we be from wanting, in ſuch an Exigency, many of the Articles, that the Merchants who keep them in Store, would think themſelves but too happy if they could be permitted to ſecure them, as Madeira Wine, &c. in the Fort, amounting to much more than poſſibly could be wanted. But if the Proviſion of any Kind of Stores ſhould be judged neceſſary, it appears to me, that it ſhould be in the bulky Articles, as Fire Wood and Rice, which, as I mentioned in my former Minute, might be provided without the ſmalleſt Expence to the Company; though, I believe, if the whole Sum that is intended to be appropriated for theſe Supplies, were to be ſet apart, ſuch a Reſource would, on an Exigency, furniſh the Garriſon with a much more plentiful and wholeſome Supply than the Annual Expenditure of it can do by laying up the Stores.

" I conclude, therefore, that if it be admitted, that wherever there is a Fort and Garriſon, there muſt be likewiſe victualling Stores laid in, the ſame Neceſſity will be ſoon urged for the Appointment of an Agent Victualler at Chunar, as well as at Fort William, and perhaps with more oſtenſible Reaſons to ſupport it, as that Place is a Frontier Garriſon.

" My Second Objection goes to the Manner with which the Stores are to be provided. The Company directs that Contracts ſhall be advertiſed; but the Governor General foreſeeing that his Secretary could not obtain the victualling Scheme on that Footing, but on the loweſt Terms, endeavours to remove the Objection, by ſaying, 'That the World would know what Proviſion was made for the Defence of the Fort;' as if the Knowledge, that there was Three or Four Months Proviſion in it, beſides what might be thrown in at a few Hours Notice, would invite rather than diſcourage an Enemy to attack it. So curious an Argument requires no other Refutation.

" My Third Objection goes to the Proviſions for Fifteen thouſand Men; that is to ſay, for Three Fourths of our Army. I ſuppoſe the intended Agent Victualler propoſed this Number of Men.

" Fourth Objection, the immenſe Profits of the Agent. Upon a rough Calculation, I conjecture, the Coſt of the Proviſions to be furniſhed will not be leſs than Three Lacks of Rupees, and conſequently the Agent's Commiſſion of 30 ℔ Cent. is Ninety thouſand.

" If I underſtand the Propoſal right, the Agent, after ſupplying the full Quantity of Stores required, is to change them as often as may be neceſſary to prevent their Decay; but there is no Stipulation mentioned to compel him to perform this Part of the Propoſition, and therefore, without incurring a Penalty, he may, if he pleaſes, leave all his putrid Stores on our Hands, and walk off with his Ninety thouſand Rupees. In this Caſe, ſhould there be found ever another Majority of the Board who would vote for a freſh Supply, the ſame Sum as before muſt be thrown away, and the ſame Profits renewed to the Dependant, whoever he may be.

" Let it however be granted that he will perform the profeſſed Engagement in the Plan, by renewing the Stores when neceſſary; may not that Neceſſity occur, for many of the Stores, two or three Times a Year, conſequently the Commiſſion on the Purchaſe will operate juſt ſo many Times in his Favour.

" In the View I have hitherto taken of his Gains, I have only conſidered him as Agent; it is fair now to ſee what he will get as Merchant.

" Thoſe Perſons who buy Proviſions up the Country generally reckon on a Profit from 15 to 25 ℔ Cent. on bringing them to Calcutta. I take it for granted, that Mr. Belli, with the Advantages that he will in courſe poſſeſs from his Connection, may be ſecure of a Gain of 20 ℔ Cent.

Cent., even ſuppoſing him to confine his Purchaſes to the Quantity required. This will add Sixty thouſand more to the Profits of the Commiſſion, in all 150,000 R^{s} in an Half Year from his firſt Deliveries only.

" Fifth Objection, to the making the Commandant of the Fort the Storekeeper. According to the 9th Article of the Plan, he (it was at firſt the Fort Major) is to keep the Muſter or Sample of the Stores; he is to examine all Deliveries by them; he is to viſit conſtantly the Magazine to inſpect the Condition of them; he is to attend to the Redelivery of them to the Agent that they may be changed, and to grant Certificates for taking them away: Finally, he muſt keep a Set of Books. Suppoſing the Commandant had Leiſure and a ſufficient Knowledge of Stores to be able to accompliſh theſe various Duties, every one muſt ſee the diſagreeable Predicament he muſt ſtand in. Can it be almoſt expected that he will riſk the Favour of the Governor General in rejecting bad Proviſions, or condemning thoſe that are putrid? yet, if he does not, he expoſes the whole Garriſon to die of the Plague. I do not think that the propoſed Agent would be guilty of thoſe Frauds which are ſo frequently committed by victualling Contractors in all Parts of the World; but this does not prevent every one wiſhing to ſee the Agency for ſo important a Truſt filled by a Perſon no ways connected or protected by Favor, as the Conſequences of the leaſt Complaiſance to him may prove fatal to the very Exiſtence of the Engliſh Power in Bengal.

" Objection the Sixth, on the Reaſons aſſigned by the Governor General for wiſhing to make his Secretary the Agent: He ſays, it is not becauſe he had been with him Four Years on a Salary of only 300 R^{s} $\mathfrak{P}$ Month, but from thinking the due Diſcharge of a Truſt of ſuch Importance, and ſo immediately his own Province, required a Perſon on whoſe Honour he could depend. Mr. Haſtings's high Opinion of Mr. Belli is, I dare ſay, very well founded; but it ſeems rather injurious to the Company's Servants, that not one is to be found on whom ſo important a Truſt can be conferred. I wiſh not to make Compariſons, but I muſt be permitted to ſay, that if the Goodneſs of their Characters cannot avail them in being appointed to Poſts of Truſt, I ſee no Advantage that they enjoy over Gentlemen who are out of the Service, and only ſuffered to reſide in Bengal by Indulgence.

" How it comes that the Governor General imagines, that the recommending an Agent Victualler is his peculiar Province, I cannot comprehend, as the Conſequences of any Fraud committed by the Agent would fall, not on the Governor General, in caſe of a Siege, ſeeing the Defence of the Fort would not reſt with him, but on the Commander in Chief.

" I hope theſe Objections will convince the Governor General of the Inexpediency of his Plan for victualling the Fort, particularly when it is to be undertaken by his Secretary; but, at leaſt, if thoſe Objections do not avail, I have a Right to expect he will retract the Complaint he made againſt me for uſing hard and coarſe Invectives on his Plan, inſtead of offering my Objections to the Propriety of it.

(Signed) " John Clavering."

Mr Francis's Minute.

" In my Minute of the 4th of November, I propoſed, that, in order to determine the Amount of the Agent's Commiſſion, the Opinions of Perſons of Credit, converſant in the Inland Trade, and who may have dealt in the ſeveral Articles of Supply, and are acquainted with the State and ordinary Fluctuations of the Markets, ſhould be taken. Meſſrs. Robinſon, Killican, and Croftes, have reported that 20 per Cent. is a reaſonable Commiſſion; and I abide by their Opinion. I did not underſtand that the Commandant of the Fort was to be Storekeeper; but that officially there ſhould be ſome Check and Controul veſted in him, to inſpect the State of the Stores for the Uſe of the Garriſon under his Command, for the Safety of which he is immediately reſponſible.

(Signed) " P. Francis."

" Mr. Barwell. —— I abide by the Opinion I have already given on this Subject.

The Governor General's Reply to General Clavering's Minute.

" I ſhall readily acknowledge that I have no longer Cauſe to complain of the Conciſeneſs of the General's Objections to my Plan for victualling the Fort, though his laſt Minute conſiſts of little more in Points of Argument than the former, being chiefly compoſed of multiplied Invective, groundleſs Conjecture, and unfair Inſinuation, neither ſupported by Facts, nor demonſtrated by Reaſon. I ſhall therefore reſt the Defence of the Meaſure on the Arguments I employed in Anſwer to the General's Firſt Minute, and confine my preſent Reply to Two Objections brought in his laſt, principally againſt the Agent.

" The General ſtrongly diſapproves of the Agent, becauſe he is not a Servant of the Company; and introduces ſeveral invidious Remarks on the Choice being made of my private Secretary for the Charge of providing the Stores. The Command of the Garriſon is ſolely veſted in me during the Time of Peace; and I regard it as a Duty incumbent on me, to keep it in ſuch a State of Security, as to reſiſt, at leaſt any ſudden Impreſſion, whenever a War takes place. Hence I conceive the Neceſſity of keeping up a conſtant Supply of Victualling Stores; the Care and Proviſion of them is my peculiar Province: I alſo am reſponſible for the Conſequences, and it behoves me to delegate the Truſt to a Perſon in whoſe Integrity long Experience warrants my confiding.

" I am

" I am unacquainted with any Law or Inſtructions reſtricting my Choice to a Servant to the Company for this Employment. I am concerned that the General, on this Occaſion, compels me to quote his own Example in the Inſtance of Captain Webber, who, though no Servant of the Company, who, though his Aid-de-Camp, has been appointed, under his Patronage, to Poſts in the Eſtabliſhment formed for the Nabob of Oude, which, if univerſal Report may be credited, have yielded him Emoluments far more valuable than all the Employments which I have ever beſtowed in my Life. Nothing, in my Opinion, can be more forced or unnatural than the General's Suppoſition of a colluſive Monopoly of Grain between the Agent and the Aumeens, who are to be ſent into the different Diſtricts of Bengal for Purpoſes wholly unconnected with every Idea of Trade; and I believe he is the only Perſon in the World who could have formed ſuch a Suggeſtion, and produced it as an Objection to my committing the Supply of the Proviſions to a Perſon in my Confidence.

" To obviate the ill Effects which the General's Prejudices or Miſtakes might create in the Minds of thoſe who are unacquainted with the Nature of theſe Offices to which he has alluded, and are but too much diſpoſed to look for Abuſes in all Authority which they do not underſtand, it may here be neceſſary to explain, that the ſole Function of the Aumeens is to compile the neceſſary Papers of Government for aſcertaining, to the greateſt poſſible Degree of Preciſion, the true Value of the Lands, in order to form the new Settlement of the public Revenue.

" They are inveſted with no Powers which would give them excluſive Advantages in buying or ſelling.

" A common Gomaſtah, ſent under my Influence, (if my Influence can give them extraordinary Privileges), could deal on an equal Footing with them; nor is it poſſible to believe, that having undertaken a Meaſure of the laſt Importance, on the Succeſs of which my Reputation and future Proſpects eſſentially depends, I ſhould increaſe the Obſtacles avowedly raiſed to it by Two Members of the Adminiſtration, and hazard its Defeat, by diverting the Attention of thoſe employed in the Execution of it, for the trifling Conſideration of adding a few Rupees to the Profits of my Secretary.

" The Utility or Inutility of the Meaſure, which has given Riſe to theſe Objections and Anſwers, will be beſt proved by its Effect; and that this may be fairly made, I pledge myſelf that Mr. Belli ſhall keep exact Accounts of the Purchaſes, Charges, and Expenditure, of all the Stores committed to his Charge; and I will become reſponſible for his producing them before the Board, if ever the Court of Directors ſhall be pleaſed to order it; and that the Profits ariſing therefrom ſhall be paid into the Company's Treaſury, and appropriated as they ſhall direct, if they ſhall not deem them the juſt Reward of Mr. Belli's Services and Fidelity.

(Signed) " W. Haſtings."

" General Clavering.—The Objections I have made to the victualling the Fort by the Governor General's Secretary, are not and cannot be anſwered by him.

" The Inſtance the Governor General brings of Captain Webber's commanding a Regiment in the Vizier's Service, is brought to compare with his Secretary having the Appointment of Agent Victualler in the Company's Service. The one is not forbidden by the Company, the other is expreſsly.

" The Board has ordered all the Accounts of Money paid to the Nabob's Officers to be laid before them, when it will appear whether Captain Webber has received more or leſs than he is intitled to. If the former, I hope he will be puniſhed; I will never protect any Man who is guilty of Malverſation or Fraud, and the Governor General knows that I even parted with my Banyan, on hearing that he had preſumed on my Protection to do an Act which he very well knew was ſo contrary to my Intentions as the taking a Farm. In regard to the Governor General's malevolent Inſinuations of the Emoluments which Captain Webber has received, I muſt beg the Court of Directors will ſuſpend their Opinion till the Accounts come down. If he may be credited, he is not yet paid what he has diſburſed for the Purchaſe of Horſes, and is now very much in Debt on that Account. I beg leave to aſſure the Governor General, that I am not ſingular in ſuppoſing the Aumeens may not be ſo totally occupied with their Accounts, as not to have Leiſure to give a little Aſſiſtance to his Secretary, in purchaſing his Stores: It is impoſſible for the Government to know what Powers they may uſurp; they correſpond only with the Governor General, and are only accountable to him for their Conduct.

(Signed) " J. Clavering."

" All the above Opinions having been received before the Cloſe of the Triton's Packet, the Secretary cauſed Copies to be prepared and tranſmitted to the Court of Directors, and Mention was made in the General Letter of the Reſolution of the Board, to allow an annual Commiſſion of 30 ℔ Cent. to the Agent, on the Proviſion of the Stores required for the Supply of the Fort.

" Agreed, that the above Reſolution be now recorded in this Place.

" Governor General.—I move that Mr. Belli be appointed Agent of victualling Stores for the Garriſon of Fort William, according to the Plan recommended by me on the 4th of November.

" Mr. Francis.—I acquieſce.

" Mr. Barwell agrees.

" General Clavering.—I object; there is actually a Company's Servant who is nominally in the Poſſeſſion of this Office; this Servant (Mr. Johnſon) muſt be firſt removed before another is appointed.

" The Governor General.—I believe that there is no ſuch Appointment.

" General Clavering.—I move that this Matter be ſuſpended until the Fact be aſcertained by the Secretary.

" Reſolved, that this Appointment be ſuſpended until the Secretary ſhall have aſcertained whether Mr. Johnſon holds the Office of Agent Victualler by an Appointment of the Board.

" General Clavering having objected to the ſixth Paragraph of the General Letter prepared for the Triton, the Secretary received the following Letter and Minute from him on that Occaſion, and Copy of the Minute was ſent a Number in the Packet.

" To Mr. Auriol.

" Sir,

" I ſend you my Proteſt to the ſixth Paragraph in the Letter to the Court of Directors, written in the ſecret Department, and deſire it may make a Number in the Packet. Gen. Clavering's Diſſent to the General Letter per Triton.

(Signed) " J. Clavering."

" General Clavering.—I proteſt againſt the ſixth Paragraph of the General Letter going from the ſecret Department to the Court of Directors by this Diſpatch, becauſe I conceive the Board is not warranted by any Act of the Government of Poona, or Declaration of their Miniſters, to draw the Concluſions that are inferred, and even expreſſed in this Paragraph, 'that we have Reaſon to ſuſpect they mean to take Advantage of our Confidence in their good Faith, to detain Colonel Upton by Compulſion.'

" If we conſider the two Letters referred to, there is nothing in them that can imply the Conſtruction that is given to them: The Word 'diſmiſs,' in the Paiſhwa's Letter, and 'Conſent,' in Colonel Upton's, import the ſame Meaning, which is no more than expreſſing the uſual Ceremony in Hindoſtan of granting Diſmiſſion or Leave to go away to Inferiors by Superiors. If we refer to the public Conduct of the Mahratta State, we have no Reaſon to complain of their Violation of Treaties, or their Breach of good Faith: They ſtrictly obſerved the Suſpenſion of Arms, though it was not maintained on the Part of the Preſidency of Bombay; they have endeavoured to fulfil the Treaty concluded with Colonel Upton, though it has been all along evaded by the Government of Bombay, firſt by giving Refuge to Ragaba at Surat, then ſecretly negociating with Sudaba and protecting his Followers, and laſtly by affording an Aſylum to Ragoba himſelf in Bombay. If, after the Sacrifice of Salſette, the Territory near Broach, and what was ſtill more degrading to them, they offer to pay the Expences of the War by giving up certain Territories till they were liquidated, nobody can blame the Paiſhwa for uttering Complaints, that he had made all theſe Sacrifices without obtaining what he had a Right to expect, Peace. The Concluſions therefore drawn from any Expreſſions of Complaint in the Paiſhwa's Letters are ungenerous, and rather imply an Intention to quarrel with him, than he with us.

(Signed) " J. Clavering."

" Mr. Francis having made the following Objection to the eleventh Paragraph of the General Letter, a Copy of it was ſent home a Number in the Triton's Packet.

" I object to this Paragraph, becauſe it ſeems to imply the Creation of a new Office, whereas Mr. Fowke executed all the Duties deſcribed in this Paragraph, and with the greateſt Punctuality and Exactneſs. Mr. Francis's Diſſent to the 11th Paragraph of the General Letter.

(Signed) " P. Francis."

" In conſequence of Orders from the Governor General, the Secretary prepared and circulated the following Draft of Inſtructions to Mr. Thomas Graham, and Orders to Mr. Francis Fowke.

" To Mr. Thomas Graham.

" Sir,

" Having appointed you to reſide at Benares for the Purpoſe of tranſacting any occaſional Buſineſs which may ariſe between this Government and Raja Cheyt Sing, we direct that you immediately proceed to that Place. Inſtructions to Mr. Thomas Graham.

" On your Arrival at Benares, you will deliver to the Raja a Letter of Credence, which the Governor General will tranſmit to you for that Purpoſe. You will then require from Mr. Francis Fowke, if he ſhould be on the Spot, the Accounts of the Raja's Tribute, and all the public Papers in his Poſſeſſion, as well reſpecting his late Deputation to the Raja, as the Poſt-office at Benares, which was under his Charge, as we have thought proper to inveſt you alſo with the Appointment of Poſt-maſter there.

" Having

" Having obtained theſe Materials, you are regularly to demand and receive Bills of Exchange from the Raja for the Amount of his Monthly Tribute to the Company, which you will punctually remit to us.

" Theſe are the only general Rules which we think it neceſſary at preſent to lay down for your Conduct. We ſhall tranſmit you ſpecial Orders for any future Services that may be required from you.

" We have thought it proper to appoint Mr. D. O. Barwell to be your Aſſiſtant, and to fix the Allowances to be drawn by yourſelf at the ſame Amount as thoſe granted to Mr. Fowke, which is 1,000 R^{s} ℔ Month, and Captain's double Batta for your travelling Charges, and by your Aſſiſtant at 300 R^{s} ℔ Month.

" We are, &c."

" Sir,

Orders to Mr. Francis Fowke.

" Having thought proper to appoint Mr. Thomas Graham to reſide at Benares on the Part of this Government, we direct that you deliver up to him the Accounts of Raja Cheyt Sing's Tribute to the Company, together with all the other public Papers of which you are poſſeſſed in conſequence of your late Commiſſion. We further direct, that you deliver over Charge of the Office of Poſt-maſter at Benares, with all its Appurtenances, to Mr. Thomas Graham, as we have alſo appointed him to that Station.

" We are, &c."

" The above Inſtructions to Mr. Thomas Graham, and the Letter to Mr. Fowke, were returned from Circulation with the following Minutes:

" Governor General.—Approved. A Letter ſhould alſo be written to Mr. F. Fowke, directing him, if he is yet at Benares, to deliver up the Amount of the Rajah's Tribute, and all the public Papers in his Poſſeſſion, to Mr. T. Graham, together with the Charge of the Poſt-office at Benares, which I recommend to be given to Mr. Graham.

(Signed) " Warren Haſtings.
(Do.) R. Barwell.
(Do.) P. Francis."

" I acquieſce.

" I proteſt againſt the Letter. Mr Fowkes's Commiſſion was declared to be annulled. Mr. Graham's Appointment which followed, was to tranſact occaſional Buſineſs; yet it appears that the annulling Mr. Fowkes's Commiſſion was not intended, as it ſeemed to profeſs, to be a Meaſure of Oeconomy, as Two Perſons with Two Salaries are now to perform the ſame Office which was done before by One.

(Signed) " Jno Clavering."

" Mr. Fowkes's Letter, and Mr. Graham's Inſtructions, being approved by a Majority of the Board, they were tranſcribed, ſigned, and diſpatched accordingly.

" The Secretary lays before the Board the following Letter from the Maſter Attendant.

" To J. P. Auriol Eſquire.

" Sir,

" In Reply to your Letter of the 28th inſtant, you'll be pleaſed to acquaint the Governor General, that Two of the Pilot Schooners can be prepared in Ten Days to proceed to Chittagong, carrying ten Guns, 8 Four Pounders and 2 Two Pounders for the Quarter Deck, mann'd with 12 Europeans, 22 Laſcars: The only Impediment there is at preſent is the Want of Carriages for the Guns, which I will engage to have completed in the above Time, provided I have the Orders of the Board to make the Carriages in my own Yard.

" At this Seaſon of the Year, in all Probability, after the Schooners are prepared, they may reach Chittagong in Eight Days after they leave this River.

" I am, &c.

" Calcutta, 31ſt December, 1776. (Signed) " H. Wedderburn, Maſter Attend^{t}"

" Ordered, That the Maſter Attendant be directed to keep Two Sloops in Readineſs for further Orders.

" Ordered, That the Secretary enquire of the Secretary of the Board of Ordnance, if there be any Ship Carriages for Iron Guns of 4 and 2 Pound Shot, among the Company's Stores; and in caſe of there being none, that he direct the Maſter Attendant to furniſh an Eſtimate of the Coſt of making ſuch Carriages, and to receive further Orders concerning them. In the mean Time it is agreed, that the Governor General be deſired to write a Letter to the Raja of Arracan, complaining of the Depredations made by his Subjects on our Coaſt, and demanding immediate Reparation by the Puniſhment of the Offenders, and by the Releaſe of ſuch of the Inhabitants of Bengal as have been forcibly carried into his Country.

" Warren Haſtings.
Richd Barwell.
P. Francis."

" Fort William, 13th January 1777.

" A RETURN of the Killed, Wounded, and Miſſing, of his Excellency the Vizier's Troops under the Command of Lieutenant Colonel Goddard, at the Siege of Sekrenny Fort, from the 23d to the 25th of December 1776.

ARTILLERY.

	Lt Firewks.		Havildars.		Golanders.		Laſcars.		Bildars.		Total.	
	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.
2d Company	—	—	—	—	—	1	—	—	—	—	—	2
3d Company	—	—	1	1	1	4	1	2	—	1	3	8
Total	—	—	1	1	1	5	1	2	—	1	3	10

INFANTRY.

	Captains.		Lieuts.		Subaders.		Jimedars.		Havildars.		Naicks.		Tom toms.		Sepoys.		Golanders.		Laſcars.		Bildars.		Wounded.		Total.		Wounded.	Miſſing	Laſcars, &c. under the Quarter-maſter.
	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.	Laſcars.	Bildars.	Coolies.	
2d Regimt. 1ſt Battalion	—	1	—	—	—	2	—	1	1	2	1	3	—	3	5	23	—	—	—	—	—	3	—	1	7	39				
2d Battalion	—	—	—	—	—	2	1	1	1	—	—	1	—	—	5	19	1	2	1	5	—	—	—	1	9	31				
5th Do. 1ſt Battalion	—	—	—	1	—	1	2	—	1	2	—	4	—	2	8	30	—	—	—	—	—	—	—	—	11	40				
2d Battalion	—	—	—	1	1	5	—	4	—	5	1	6	—	2	11	39	—	—	—	—	—	—	—	—	13	62				
Total	—	1	—	2	1	10	3	6	3	9	2	14	—	7	9	111	1	2	1	5	—	3	—	2	40	172	1	17	17	—

Lieut. Park, Secretary to Lieut. Colⁱ Goddard, wounded, but not included in the above. One Subadar and One Sepoy of the 2d Battⁿ, 2d Regimt, died of their Wounds the 26th inſtant. One Havildar and One Sepoy of the 1ſt Battⁿ do. do. the 27th inſtant.

Included in the above, { Captⁿ Lane, dead of his Wounds. Lieutᵗˢ Blacker, More, and Montague, } wounded.

(Signed) " Thoˢ Goddard,
Lt Colonel commanding."

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(1423)

To the Honble. Warren Haſtings, &c.

" Honble. Sir and Sirs,

" In Obedience to your Commands of the 5th inſtant, I have paid into the Treaſury the Balance of the Caſh Account of the Garriſon Proviſion Stores in C^{t} R^{s} 46,305 8 3.

" I am much concerned to learn by the ſame Orders, that the Acc^{ts} I had given in of the Purchaſe, Sale, and Expenditure of that Service were not ſufficiently explicit. I have now the Honor to ſubmit a general Statement of the Whole, which I flatter myſelf will completely ſet forth every Part and the Whole at one View.

" The Sums ſtated under the Heads of Dacca, Patna, and Houghly, as the Amount purchaſed of the Stores received from thoſe Places in the general Statements, are not to be found in the Caſh Accounts, as theſe are alone confined to Diſburſements made at the Preſidency.

" A Total of theſe Articles purchaſed and ſold in Calcutta is made, without including the Articles of Arrack and Copper Chauldrons: Theſe Two Articles remain unliquidated in Store.

" The Total Amount Purchaſe agrees with the Caſh Account, allowing for the deficient Delivery of 1,097 30 Buzar M^{ds} of Doll, as explained in the Store Account, and a ſmall Error in the Calculation of the Firſt Caſh Account, which I have not altered, as I believe it has been already written off to Profit and Loſs in the General Books.

" Fully to ſtate the entire Loſs, I have added to each Article its reſpective Charge; although it is uſual to write off Charges General to Profit and Loſs.—I have not included Repairs of Golahs, as that ſhould rather have been a Diſburſement by the Engineer than the Store Keeper, and therefore cannot properly be included in the Stores.—The Charges upon decayed Timbers I have alſo excluded, as a ſeparate Charge only belonging to itſelf.—And, laſtly, the Amount of Servants Wages. This latter might have been run upon the Whole, but for clearer Information I have placed it, and the other Two above-mentioned Articles collectively at the Bottom, thereby completing the Column of Charges.

" The Amount Sales agrees with the Caſh Account, allowing for the Sales of 17¾ Leagurs of Arrack, which, for Reaſons before-mentioned, are not inſerted in this Column.

" I have now had the Honor to lay before you,

" 1ſt. Caſh Accounts of Monies received and diſburſed.

" 2d. Store Accounts of Goods received and delivered. And,

" 3d. A general comparative Abſtract Statement, to check the Whole.

" From theſe Accounts, as they now ſtand, I hope every Point will appear fully explained; but ſhould any Thing yet remain unclear, I am anxious to add every Elucidation in my Power.

" Fort William,
8th December 1776.

" I have, &c.
(Signed) " Richd Johnſon."

" Note for the General Statement.

" The Waſtage of the Rice moſt probably exceeds what could be incurred upon an equal Quantity kept in Bulk. Wanting proper Magazines, it was judged expedient, while kept in Golahs that were conſtantly liable to Fire and other Accidents, to keep the Grain in Bags, to facilitate ſpeedy Removal. The Bag itſelf creates Weavels, by which Means this deſtructive Inſect is at once conveyed to every Part of the Grain, whereas, when in Bulk, the interior Parts remain long unaffected.

" The Damage of the other Articles of Grain was exceſſive, occaſioned by being lodged, for Want of proper Magazines, in Caſemates, below the Level of the Ground. They were frequently overflown upon the leaſt Stoppage of the circumjacent Drains. Add to this, the conſtant Vapour riſing from the Ground during Two ſucceſſive rainy Seaſons together, made it ſo muſty, as to render it barely vendible upon any Terms, or at any Rate.

" Biſcuit is an Article that muſt ever be a total Loſs, not only becauſe of its ſpeedy Decay, but alſo as being an Article of no Conſumption by any Set or Caſt of the Inhabitants whatever.

" The Waſtage of the Oil is alſo more conſiderable than it could have been without Accident. It was, according to the Cuſtom of the Country, ſunk into the Ground, to prevent the Weight of the Oil from burſting the Jarrs. The interior Part of a Baſtion was a Place where a large Number of the Jarrs were ſunk up to the Neck, with a ſmall Lid laying over each Jarr looſe, for the Purpoſe of daily Viſitation. Upon a heavy Fall of Rain, towards the latter Period of a rainy Seaſon, the Channel that ſhould have carried off the Water being choaked up, the Water lodged, and roſe above the Mouths of the Jarrs; in Conſequence of which, the Water being the heavier Body, ſunk into the Jarrs, and in equal Proportion threw off the Oil.

" The Waſtage of the Fire Wood is according to the uſual Rate, although it may appear large to whomſoever has not experienced it. The Purchaſe of every Article has its peculiar Cuſtom, which cannot be deviated from, without making up the Alteration to the Vendor by an enhanced Price, by which little or no Advantage might be obtained. The Cuſtom of Fire Wood

is as follows: The Vendor brings his Boat (from whence it is always to be received) close to the Shore, and throws the Wood, mostly green, overboard into the shallow Water: Thus wetted and mudded, it is to be taken up, and immediately weighed on Shore. Too bulky an Article to be placed under Cover, it was stacked in the open Air, where, being exposed to the constant Effect of the Sun, it was soon dried almost to the State of Touch Wood, so dry as to break in throwing down from the Stack to be weighed off upon Delivery of Sale. A Comparison between such opposite States, will easily reconcile the great Loss by Wastage.

" Salt Beef is an Article unused in the Country, but by the Marine, and that in such small Quantity, as to give little or no Aid to the Sales. The Soldiers of the Garrison now and then bought small retail Quantities at low Prices.

" Of the Arrack, a small Quantity was begun to be sold, but discontinued as a foreign Article not always procurable.—The Sales and Wastage being but in Part, are not set off in the general Statement; that Head cannot be liquidated until delivered over, or totally expended, and the Leakage fully ascertained.—About 21 Leaguers have hitherto been expended in occasionally filling up such Casks as most required it.—I have applied to Mr. Nixon, the Company's Cooper, for his Opinion upon the Leakage of Arrack, and received it as follows: " The Leakage of new Spirit will be equal, at least, to 16 per Cent. per Annum, for the first Two Years; after that, about 12 per Cent. per Annum." But, I believe, the Loss of what is in Store will not be so great by much.

(Signed) " Richard Johnson."

" Fort

Fort William, the 13th January 1777.

D[r] The Honble. Company in Account with the Storekeeper of the Garrison Provisions for Fort William, for March 1772. C[r]

1772. March.	To 10,000 M[ds] fine Rice, at 31 S[r] per A. Rupee			12,903 0 0	
	To 1,500 Do. Grain, at M[ds] per 1 12 —			2,625 0 0	
	To 5,000 Polly Paddy, at P[ly] 13 per 1 —			384 10 0	
	To 50 M[ds] Mustard Seed Oil, at M[ds] 1 per 13 —			650 0 0	
	To 500 Do. Biscuit, at 1 per 8 —			4,000 0 0	
	To 7096 Gunny Bags, at A. R[s] 31 per 100 —			2,200 0 0	
	To 2500 Dunnage Matts, at 8 per 100 —			200 0 0	
	A. R[s] —			22,962 10 0	
	Batta, 8 per Cent. —			1,837 8 6	
				24,800 2 6	
	To Charges on the above; viz.				
	Boat Hire — —		216 0 0		
	Cooley Hire — —		851 14 0		
	Packing, Weighing, Twine, &c.		57 6 0		
	Sircars and Peon's Wages and Victuals		45 0 0		
			1257 4 0		
	Batta, 8 per Cent. —		100 9 3		
				1,357 13 3	
					26,157 15 9
	To Stores for repairing the Golahs in the Fort; viz.				
	Wood Oil 1½ M[ds], at 13 A. R[s] per M[d]		19 8 0		
	Oakum 20 S[r], at 4 Do. —		2 0 0		
	Tar 2 M[d], at 15 Do. —		30 0 0		
	Dammer, 2 15 S[r], at 6 Do. —		14 4 0		
	Nails, 15 S[r], at 18 Do. —		6 12 0		
	Oil, 10 S[r], at 12 Do. —		3 0 0		
	Twine, 7 at 7 Do.		49 0 0		
	Goram Sticks 420, at 1 8 per ⅌		6 4 9		
	Matts 500, at 8 Do. —		40 0 0		
	Saul Timbers 1 —		4 0 0		
	Bamboes 450, at 16 per ⅌ —		72 0 0		
	Straw 8 Cawns, at 1 8 per Cawn		120 0 0		
	Sundry Posts 20, at 12 per Corge		12 0 0		
	Earthen Potts 13, Gurrahs 2, Covits and Paper ½		2 0 0		
	Teek Plank, 4 R[s] per Foot —		4 0 0		
				383 12 9	
	To Charges on the above.				
	Casks, Bags, Duppers, Twine, &c.		6 0 0		
	Boat Hire — —		9 0 0		
	Cooley Hire — —		35 0 0		
				50 0 0	
	A. R[s] —			433 12 9	
	Batta 8 per Cent. —			34 11 3	
					468 8 0
	Carried forward,				26,626 7 9

1772. March.	By Cash received from the Treasury in advance, C[t] R[s] —	10,000 0 0
	Carried forward, — —	10,000 0 0

Dr " The Honble. Company in Account with the Storekeeper of the Garrison Provisions of Fort William, for March 1772. Cr

		Ct Rs		
	Brought forward, —		26,626	7 9
1772.	To Cooley Hire for 46 Casks of Salt Beef, at 1 8 per Cask,	69 0 0		
March 12th.	To Do. removing Do. at 8 Do. — —	23 0 0		
	To 100 Mds Stowage Wood for Do. at 25 per 8 Mds —	25 0 0		
		117 0 0		
	Batta, 8 per Cent. —	9 5 9		
			126	5 9
	To 6 Padlocks for Golahs, &c. at 1 8 —	9 0 0		
	To 9 Leaden Marks for Do. — —	6 0 0		
	To a Box for Musters — —	2 0 0		
	To Jarrs for 50 Mds Oil — —	15 0 0		
	To 1700 Gunny Bags for the Grain from Patna, at 30 per Cent. — —	510 0 0		
		542 0 0		
	Batta, 8 per Cent. —	43 6 0		
			585	6 0
	To Cooley Hire for 1825 Bags of Rice, at 1½ Annas per Bag — — —	172 0 0		
	To packing, stowing, &c. for Do. —	9 12 0		
	To 1000 Mats for Dunnage for Do. at 8 per Cent.	80 0 0		
		261 12 0		
	Batta, 8 per Cent. —	21 0 0		
			282	12 0
30th.	To Servants Wages.			
	Storekeepers Allowance — —	50 0 0		
	3 Sircars — — —	50 0 0		
	10 Durwans — — —	30 0 0		
	3 Meters to clean Golahs, &c. — —	9 0 0		
	7 Weighman, at Ct Rs 7 8 — —	43 8 0		
	4 Peons to collect Coolies — —	16 0 0		
		198 8 0		
	Batta, 8 per Cent —	15 15 0		
			204	7 0
	Curr[t] Rupees —		28,025	6 6

Brought forward, —	Curr[t] Rupees	10,000 0 0
By Balance received from the Treasury, as per Order, in Consultation, 31st March		18,025 6 6
Curr[t] Rupees — —		28,025 6 6

" Fort William, 31st March 1772.
E. E. (Signed) " John Cartier.
A true Copy. (Signed) " Rich[d] Johnson."

" Fort William, the 13th January 1777.

Fort William, the 13th January 1777.

Dr. " The Honble. Company in Account with the Storekeeper of the Garriſon Proviſions for Fort William. Cr.

To the Honble. Company's Caſh.

The Amount paid on the 16th inſtant to the Maſter Attendant, for 76 Caſks of Beef, purchaſed by him, but placed to the Head of Garriſon Proviſions, Fort William, and omitted to be transferred by the Storekeeper — — — 4,222 12 9

To Purchaſes and Diſburſements, as per Account Particulars hereunto annexed — — 2,37,335 2 9

Current Rupees — 2,41,577 15 6

1772.
March. By the Honble. Company's Caſh.

The Amount paid on the 16th inſtant to the Maſter Attendant, for 46 Caſks of Beef, purchaſed by him, but placed to the Debit of the Garriſon Proviſions for Fort William, and omitted to have been transferred by the Storekeeper — 4,222 12 9

By Treaſury.

Received from thence as follows; vizt,

May.	By an Order of Council, dated	7th inſtant		18,000
July.	By Do.		2d Do.	70,000
Sept.	By Do.		1ſt Do.	25,000
Octr.	By Do.		22d Do.	20,000
Decr.	By Do.		3d Do.	47,250
1773.				
Febry.	By Do.		20th Do.	20,000
June	By Do.		Do.	20,790
				2,21,400 0 0
				2,25,262 12 9
Balance	—	—		16,315 2 9
	Current Rupees	—		2,41,577 15 6

" Fort William, 30th April 1774.

Errors excepted.

(Signed) " Richd Johnſon."

" Fort William, the 13th January 1771.

" Account of Purchaſes and Diſburſements made for the Garriſon Proviſion Stores for Ft William to the End of April 1774.

1179.	Rice 1772	Maunds	24,332	at	31	Sr ℔ Rupee		31,396	2	0
1180.	Dº 1773		10,000		35	Dº		11,428	12	0
1179.	Wheat 1772		1,000	at	1 8	℔ Md —		1,500	0	0
	Doll Dº		3,787		1 5	℔ Dº —		5,293	0	0
	Tobacco Dº		698		3 8	℔ Dº —		2,425	8	0
	Biſcuit 1773		1,000		8 0	℔ Dº —		8,000	0	0
	Beef	Caſks	113		80 0	℔ Caſk —		9,040	0	0
	Arrack 1772	Leagures	203½		215 0	℔ Leagr		43,752	8	0
	Dº 1773		350		180 0	℔ Dº —		63,000	0	0
1772.	Copper Chauldrons Mt Mds		73½		80 0	℔ Md —		6,280	0	0
1772.	Oil		801		10½ 0	℔ Dº —		8,410	8	0
	Gunny Bags		30,300		270	℔ ℅ —		8,181	0	0
										1,98,707 6

Charges Merchandize.

Rice.—Matts for Dunnage, 60,26 —	450	11	6	
Jarool Planks for Dº 320 —	237	9	6	
Boat-hire — —	213	4	9	
Cooley Hire upon 34,332 Mds	2,152	9	6	
Packing Twine, and Marking	108	9	9	
				3,162 13 0
Wheat.				
Cooley Hire — —	69	12	6	
Packing Twine, and Marking —	4	3	0	
				73 15 6
Doll.—Cooley Hire — —	245	2	9	
Packing Twine, and Marking —	9	14	0	
				255 9 0
Tobacco.—Cooley Hire — —	155	12	3	
Biſcuit.				
Racks — —	125	11	0	
Matts — — —	68	10	9	
Cooley Hire — —	208	14	6	
Bakers Charges on keeping the Godown heated — —	46	4	6	
				449 8 9
Beef.—Cooper Charges — —	38	15	0	
Cooley Hire — —	502	9	0	
				540 15 9
Arrack.				
Cooley Hire — —	1,728	4	0	
Ropes for tranſporting the Leagrs —	7	9	3	
Tin Plates to ſecure Bungs —	6	14	6	
Wooden Racks — —	295	1	3	
Cooperage — —	248	6	3	
				2,286 3 3
Copper Chauldrons.				
Cooley Hire — — —		—		38 15 9
Oil.—Jars 51 — — —	331	11	3	
Dubbers — —	1	5	6	
Cooley Hire — —	187	9	6	
				520 10 3
Carry over,				7,328 11 3 1,98,707 6 0

" Fort William, the 13th January 1777.

Brought over,		7,328 11 3	1,98,707 6 0
Gunny Bags.			
Cooley Hire — — —		16 9 9	
Cooley Hire upon Saul Timbers received from Storekeeper, Works making into Piles, and collecting from different Parts of the Fort into the Railing — — —	1,017 1 3		
D° for piling Firewood, and Tranſport from the Water-ſide — —	1,127 5 0		
		2,144 6 3	
Repairing Golahs — —	994 2 0		
Railing for Firewood — —	248 4 6		
Leaden Numbers and Padlocks —	68 8 3		
Weighing Firewood — —	288 13 9		
Removing Paddy and Grain to repair the Caſemate they were in	241 1 6		
		1,840 14 0	
			11,485 13 3

Charges upon Stores from Dacca.

Rice.—Mats 1,000 — —	81 0 0		
Cooley Hire — —	739 7 6		
Weighing — — —	70 1 6		
Packing Twine, and Marking —	67 3 6		
		957 12 6	
Oil.—Jarrs 40, including Tranſport —	202 7 3		
Cooley Hire upon 557 Maunds —	123 12 0		
11 Pipes — —	178 3 3		
Coopers Charges — —	22 0 0		
Weighing — — —	9 2 3		
		535 8 9	
Jaerpaut.			
Cooley Hire, 168 Bundles —	8 3 9		
Weighing — — —	0 6 3		
		8 10 0	
Paddy.—Cooley Hire — —	11 12 3		
Weighing — —	0 10 0		
Packing Twine, and Marking —	1 2 6		
		13 8 9	
Ghee.—Dubbers 141 — —	95 2 6		
Cooley Hire — — —	42 14 3		
Weighing — — —	1 6 0		
		139 6 9	
Grain.—Cooley Hire upon 4,040 M^ds —	279 2 9		
Packing and Marking —	14 10 0		
Weighing — — —	17 13 9		
		311 10 6	
			1,966 9 3

Charges upon Stores from Patna.

Peaſe and Boot.			
Cooley Hire upon 3,873 M^ds	321 1 9		
Weighing — — —	16 10 3		
Packing, Twine, and Marking —	13 12 3		
Carry forward,		351 8 3	2,12,169 12 6

" Fort William, the 13th January 1777.

	Brought forward,		351 8 3	2,12,169 12 6	
Wheat.					
Cooley Hire upon 3,224 Mds —	308 5 9				
Packing Twine and Marking —	14 14 0				
Weighing — — —	21 14 0				
		345 1 9		696 10 0	
Charges upon Stores from Houghly.					
Rice.—Cooley Hire upon 15,570 Mds —	817 9 0				
Matts 4,600 — —	364 2 6				
Boat Hire for unloading the larger Boats	183 9 3				
Weighing — — —	57 3 0				
Packing — —	5 15 0				
		1,428 6 19			
Paddy.					
Dunnage 700 Mds — —	217 6 6				
Wooden Meaſures 10 —	1 7 0				
Meaſuring and Weighing — —	56 7 0				
Cooley Hire — —	449 2 6				
		724 7 0		2,152 13 9	
Servants Wages, from April 1772 to April 773, at 198 : 8, as particulariſed in Account N° 1. being 12 Months, makes		2,382 0 0			
From D° 1773, to D° 1774, at D° — —		2,382 0 0			
				4,764 0 0	
Arcot Rupees			2,19,773 4 3		
Batta, 8 per Cent.			17,581 14 6		
Current Rupees			2,37,355 2 9		

" Fort William, 30th April 1774.

Errors excepted.

(Signed). " Rich[d] Johnſon.

" Fort William, the 13th January 1777.

" Fort William, the 13th January 1777.

Account of Stores received from the Collector of Houghly, and ſold on Account of the Honourable Company.

1772.						1774.				
March 30th.	Rice Maunds		4,804	22	0	Sold, as per Caſh Account, Maunds	15,167	7	12
May 31ſt	Ditto	—	10,766	0	12	Waſtage	403	15	0
			15,570	22	12		15,570	22	12
March 21ſt.	Paddy	Pollies	56,442	0	0	Sold, as per Caſh Account, Pollies	54,343½	0	0
						Waſtage	2,098½	0	0
							56,442	0	0

" Fort William, 8th December 1776.
E. E.
(Signed) " Richard Johnſon."

" Fort William, the 13th January 1777.

" Fort William, the 13th January 1777.

Account of Stores received from the Chief of Dacca, and ſold on Account of the Honourable Company.

1772.							1774.					
Rice	—		Mds	15,546	25	4	Sold	—	Mds	14,364	37	0
									Waſtage	1,181	28	4
										15,546	25	4
Oil	—	—	Mds	558	17	12	Sold	—	—	294	16	0
									Waſtage	264	1	12
										558	17	12
Grain	—	—	Mds	4,444	0	0	Sold	—	—	4,348	19	0
									Waſtage	95	21	0
										4,444	0	0
Ghee	—		Mds	407	0	12	Sold	—		335	10	12
									Waſtage	71	30	0
										407	0	12
Paddy	—		Mds	1737	0	0	Sold	—	Pollies	1,674	0	0
									Waſtage	63	0	0
										1,737	0	0
Taeſpaut	—		Mds	98	18	7	Sold	—	Mds	93	33	8
									Waſtage	4	24	12
										98	18	1

" Fort William, the 8th of December 1776.
E. E.
(Signed) " Richd Johnſon."

" Fort William, the 13th January 1777. Fort William, the 13th January 1777.

Account of Stores purchaſed by the Storekeeper of the Garriſon Proviſions, and ſold on Acco^{t} of the Honble. Company.

1772. Rice — — —	B^{r} M^{ds}	45,351 17 8	1774. Sold, as per Caſh Account, B^{r} M^{ds}	—		40,837 3 15
				Waſtage	—	4,514 13 9
						45,351 17 8
Wheat, Buzar M^{ds} 1,000 or Doll Acco^{t} B. N° 2, expreſſes B^{r} M^{ds}. — 3787 0	Facty M^{ds}	1,097 32 0	Sold	—	—	1,054 32 8
				Waſtage	—	42 39 8
						1,097 32 0
Deduct a Parcel not delivered, becauſe of a Diſpute upon the Quality, which therefore remains to be brought to Credit 1079 30						
2707 10	or Facty M^{ds}	2,977 39 0	Sold	—	—	2,832 9 3
				Waſtage	—	145 29 13
						2,977 39 0
Grain B^{r} M^{ds} 15,000 —	Facty M^{ds}	1,650 0 0	Sold	—	—	1,605 38 0
				Waſtage	—	44 2 0
						1,650 0 0
Paddy, Bazar Meaſure 5000 Pollies —		5,000 0 0	Sold	—	—	4,644 0 0
				Waſtage	—	356 0 0
						5,000 0 0
Tobacco — —	B^{r} M^{ds}	1,049 17 9	Sold	—	—	898 30 14½
				Waſtage	—	150 26 10½
						1,049 17 9
Oil — —	M^{ds}	957 24 0	Sold	—	—	525 18 12
				Waſtage	—	432 5 4
						957 24 0
Biſcuit — —	M^{ds}	1,540 0 0	Sold	—	—	1,183 25 8
				Waſtage	—	356 14 8
						1,500 0 0
Beef — —	Caſks	159 0 0	Sold — Caſks		155	
			Spoilt		4	
						159 0 0
Arrack — —	Leag^{rs}	553½ 0 0	Sold — Leag^{rs}		17¾	
			In Store, deducting Leakage		535¾	
						553 ½
Firewood — —	M^{ds}	79,294 0 0	Sold —		37,094 20	
			Waſtage		42,599 20	
						79,294 0 0

" Fort William, the 8th December 1776.

E. E.

(Signed) " Richd Johnſon."

" Fort William, the 13th January 1777.

" Fort William, the 13th January 1777.

Account of Stores received from the Chief of Patna, and ſold on Account of the Honourable Company.

1772.	Wheat	—	Fy Mds	5,742	28	8	1774. Sold — Facty Mds	5,332	20	8
							Waſtage —	410	8	0
								5,742	28	8
	Peaſe	—	—	2,231	30	0	Sold — —	2,200	10	0
							Waſtage —	31	20	0
								2,231	30	0
	Boot Grain	—		2,028	26	8	Sold, as p. Caſh Acct C. Facty Mds —	1,858	21	8
							Waſtage —	170	5	0
								2,028	26	8

" Fort William, the 8th Decr 1776.
E. E.
(Signed) " Richd Johnſon."

Stores received from the Chief at Patna.								
Wheat — —	Mds 5,742 28 8				Mds 410 8 0	Mds 5,332 20 8		
Peafe — —	2,231 30 0	13,338 12 0	1,303 2 6	14,641 14 6	31 20 0	2,200 [illegible]	3,746 1 0	10,895 13 6
Boot Grain — —	2,028 26 8				[illegible] 5 0	1,858 21 8		
Currt Rups —		3,47,260 13 0	20,762 [illegible]	3,68,023 6 0		Currt Rups —	97,964 13 6	1,43,025 13 6
Repairs of Golahs — —			2,657 7 3					
Servants Wages — —			10,495 10 6	15,469 0 9				
Charges Timber — —			2,315 15 0					
Cs Rs —			36,231 10 0	3,83,492 6 9				

"Fort William, 8th December 1776.

E. E.

(Signed) "RICHD JOHNSON."

" Fort William, the 13th January 1777.

" GENERAL ABSTRACT STATEMENT of Garriſon Proviſion Stores, Coſt, Sales, and Loſs.

Stores purchaſed at Calcutta.	Quantity purchaſed.	Coſt.	Charges.	Total Coſt and Charges.	Waſtage.	Quantities ſold.	Amount of Sale.	Total Loſs.
Rice — —	Mds 45,351 17 8	Cs Rs 61,606 14 0	4,466 3 9	66,073 1 9	Mds 4,514 13 9	Mds 40,837 3 4	Cs Rs 35,283 4 0	Cs Rs 30,789 13 9
Wheat — —	1,097 32 0	1,620 0 0	59 14 3	1,679 14 3	42 39 8	1,054 32 8	149 3 0	1,530 11 3
Doll — —	2,977 39 0	3,837 8 6	275 7 0	4,112 15 6	145 29 13	2,832 9 3	469 13 3	3,643 2 3
Grain — —	1,650 0 0	2,835 0 0	214 1 6	3,049 1 6	44 2 0	1,605 3 8	843 6 9	2,205 10 9
Paddy — —	Pols 5,000 0 0	415 6 3	31 5 9	446 12 0	Pols 356 0 0	Pols 4,644 0 0	149 2 6	297 9 6
Tobacco — —	Mds 1,049 17 9	3,947 15 6	168 3 6	4,116 3 0	Mds 150 26 10/4	Mds 898 34 14/2	1,797 8 9	2,318 10 3
Oil — —	957 24 0	10,994 2 6	631 8 3	11,625 10 9	432 5 4	525 18 12	4,860 9 6	6,765 1 3
Biſcuit — —	1,540 0 0	13,306 14 6	811 12 3	14,118 10 9	356 14 8	1,183 25 8	61 10 9	14,057 0 0
Beef — —	Caſks 159 0 0	13,986 0 0	710 10 0	14,696 10 0	Caſks 4 0 0	Caſks 155 0 0	5,212 13 0	9,483 13 0
Firewood — —	Mds 79,294 0 0	21,409 6 0	2,665 13 3	24,075 3 3	Mds 42,199 20 0	Mds 37,094 20 0	8,284 9 9	15,790 9 6
Gunny Bags — —	37,376 0 0	11,211 7 9	17 15 0	11,229 6 9	5,966 0 0	31,410 0 0	2,125 12 9	9,103 10 0
		1,45,170 11 0	10,052 14 6	1,55,223 9 6			59,237 14 0	95,985 11 6
Arrack — —	Soags 553/2	1,15,292 11 8	4,915 7 0	1,20,208 3 3				
Copper Chauldrons Weighing	Mds 73/2	6,782 6 6	[illegible]	6,824 7 9				
		2,67,245 12 9	15,010 6 9	2,82,256 3 6				
Stores received from the Chief of Dacca.								
Rice — —	Mds 15,546 25 4		1,034 6 6		Mds 1,181 37 0	Mds 14,364 37 0		
Oil — —	558 17 12		578 6 3		264 1 12	294 16 0		
Grain — —	4,444 0 0	38,042 2 6	336 9 3	40,166 4 9	95 21 0	4,348 19 0	21,328 13 9	18,837 2 3
Ghee — —	407 0 12		550 9 3		75 30 0	335 10 12		
Paddy — —	Pols 1,737 0 0		14 10 3		Pols 63 0 0	Pols 1,674 0 0		
Taeſpaut — —	Mds 98 18 1		9 5 0		4 24 12	93 33 8		
Stores recd from the Collr at Hughly.								
Rice — —	Mds 15,570 22 12	28,634 1 9	1,542 11 0	30,959 3 0	Mds 403 15 0	Mds 15,167 7 12	13,652 0 9	17,307 2 3
Paddy — —	Pols 56,442 0 0		782 6 3		2,098 20 0	54,343 20 0		
Stores received from the Chief at Patna.								
Wheat — —	Mds 5,742 28 8				Mds 410 8 0	Mds 5,332 20 8		
Peaſe — —	2,231 30 0	13,338 12 0	1,303 2 6	14,641 14 6	31 20 0	2,200 [illegible]	3,746 1 0	10,895 13 6
Boot Grain — —	2,028 26 8				[illegible] 5 0	1,858 21 8		
Currt Rups —		3,47,260 13 0	20,762 [illegible]	3,68,023 6 0		Currt Rups —	97,964 13 6	1,43,025 13 6
Repairs of Golahs — —			2,657 7 3					
Servants Wages — —			10,495 10 6	15,469 0 9				
Charges Timber — —			2,315 15 0					
Cs Rs —			36,231 10 0	3,83,492 6 9				

" Fort William, 8th December 1776.

E. E.

(Signed) " RICHD JOHNSON."

Fort William, 13th January 1777.

" Dr The Honble. Company in Account with the Store Keeper of the Garrison Provisions for Fort William. Cr

To Balance last Account, dated 30th April 1774								16,315 2 9
To Purchases.								
			A. Rs					
Firewood —	Mds	79,294 0 0	at	25 0	per Md	19,823	8 0	
Tobacco —	—	351 17 9	at	3 8	per Do	1,230	1 6	
Oil — — —		106 24 0	at	10 8	per Do	1,119	4 6	
Biscuit — —	—	40 0 0	at	8 0	per Do	320	0 0	
Rice — —		1,019 17 8	at	31 Sr	per At R	1,315	8 6	
						23,808	5 6	
				Batta 8 per Cent.		1,904	10 9	
								25,713 0 3
To Charges.								
Repairs of Golahs —	—	—	—			456	7 3	
Cooley Hire bringing and		R. A.						
stacking Firewood at 2 8	per ⅝ Md	A. R.	per ⅝ Md					
Transporting upon	79,294 0 0	at 2 8	1982					
At Four Annas, Ditto Stacking	—		197 8 0					
						2,197	8 0	
Cooperage upon 553 Leagrs of Arrack, daily visiting and scraping the Heads of the Casks, furnishing Iron Hoops, and wetting the Casks, &c. at 80 Rs per Md, for 24 Md	—	—	—			1,920	0 0	
Cooley Hire for removing and replacing the Arrack upon the Sinking of the Racks	—	—	—	—		345	2 0	
Storekeepers Allowance for Servants at 198½ Rs per Md for 24 Months						4,764	0 0	
						9,665	1 3	
			Batta 8 per Cent.			773	3 3	
								10,438 4 6
								52,466 7 6
Balance in Hand —	—	—	—					49,632 3 6
				Current Rupees				1,02,099 1 0

By Amount of Sales of Calcutta decayed and damaged Stores.								
					Md Sr			
1774. Rice —	Mds	40,837 3 15	at	1 10	pr Ct Rupee	35,283	4 0	
Wheat —		1,054 32 8	at	2 3	pr Maund	149	3 0	
1773. Doll —		2,832 26 8	at	3 1	pr Do	469	13 3	
				C. Rs				
1774. Oil —		525 18 12	at	9 4 0	pr Do	4,869	9 6	
Firewood —		37,094 20 0	at	22 4 5	pr ⅝ Do	8,284	9 9	
Biscuit —		1,583 25 0	at	10 0 0	pr Md	65	10 9	
Gunny Bags —	Ps	31,410 0 0	at	6 12 3	pr ⅝	2,125	12 9	
Tobacco —		898 30 14½	at	2 0 0	pr Md	1,797	8 9	
Paddy 4,644 Polls or	Mds	475 31 8	at	0 5 0	pr Md	149	2 6	
Beef —	Casks	153 0 0	at	34 1 2	pr Cask	5,212	13 0	
1773. Arrack	Leagrs	17¾ 0 0	at	238 8 0	pr Lr	4,134	3 6	
Grain —	Mds	1,605 38 0	at	8 5 0	pr Md	843	6 9	
								63,372 1 6
Dacca decayed and damaged Stores.								
1774. Rice —	Mds	14,364 37 0			—	11,571	3 0	
1773. Paddy Polls 1674, or	Mds	181 30 0	at	0 5 0	pr Md	56	12 9	
Grain —	—	4,384 19 0	at	0 13 0	pr Do	3,578	6 9	
1774. Oil —	—	294 1 0	at	9 4 0	pr Do	2,719	12 9	
Ghee —	—	335 10 12	at	9 8 0	pr Do	3,185	0 9	
Taespaut —		93 33 8	at	2 0 0	pr Do	187	10 9	
Gunny Bags —		30 0 0		0 0 0		30	0 0	
								21,328 13 9
Patna decayed and damaged Stores.								
1774. Wheat —	Mds	5,332 0 0	at	4 3 0	pr Md	1,416	5 0	
1773. Grain —		1,858 21 8	at	0 0 0		857	2 6	
1774. Peafe —		2,200 10 0			—	1,194	10 0	
Gunny Bags —	—	—	—	—	—	277	15 6	
								3,746 1 0
Houghly decayed and damaged Stores.								
1774. Rice —	Mds	15,001			—	10,159	1 0	
1773. Paddy —		5,569			—	2,421	4 3	
1774. Gunny Bags —	—	—	—		—	1,071	11 6	
								13,652 0 9
								Currt Rupees 1,02,099 1 0

" Fort William, 30th April 1776.
E. E.
(Signed) " Richd Johnson."

(1436)

16 T

Read,

Read, alſo, from the ſame Book, the following Extract of a Conſultation of the 16th January 1777.

" Fort William, the 16th January 1777.

Secret Dept. Thurſday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering;
Richard Barwell, Philip Francis, } Eſquires.

" Read, and approved the Proceedings of the 13th inſtant.

" The Secretary having referred to the Conſultations for the Appointment of Mr. Johnſon to the Office of Agent Victualler, according to the Orders of the Board laſt Council Day, ſent round the following Report.

Secretary's Report.

" Having carefully referred to the Records in my Office for the Appointment of Mr. Johnſon to the Poſt of Agent for the Supplies of Victualling Stores to the Garriſon, I beg Leave to acquaint the Board, that no ſuch Appointment appears on the Conſultations. The only Proceedings of the Board reſpecting a Supply to the Fort, before the late Minutes on that Subject, I have extracted, and take the Liberty to circulate with this.

(Signed) " J. P. Auriol, Secry. (*a*)

(Signed at the End of the Conſultation)

" Warren Haſtings,
Richd Barwell,
P. Francis."

Read, a further Extract from the ſame Book, and ſame Conſultation, as follows:

" It having been agreed to appoint Mr. John Belli to the Poſt of Agent for the Supply of Victualling Stores to the Garriſon of Fort William, his Appointment was accordingly ſignified to him, and iſſued in General Orders." (*b*)

The Managers for the Commons ſtated, they ſhould next read ſome Paragraphs of a Letter from the Court of Directors to the Governor General and Council, to prove that They condemned this Agency, and called upon Mr. Haſtings to perform his Engagement, that if the Court of Directors diſapproved of the extraordinary Profits allotted to the Agents, above the Merchants Report, Reſtitution ſhould be immediately made.

Read, from Book 221, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council of Fort William, in Bengal, dated London, 28th (*c*) Dec. 1778, beginning at Page 593 of the ſame Book.

107. " In your Plan for victualling the New Fort, we obſerve the Stores are to be furniſhed by the Agent at the Bazar or Market Price, and changed at his Expence, ſo often as ſhall be found neceſſary. They are to be purchaſed with the Company's Advances, and the Agent is to be allowed a Commiſſion or per Centage for Loſſes which may be occaſioned by Decay, Waſtage, and Variation of the Markets; and alſo for Servants Wages and other Expences.

108. " In order to aſcertain what Sum would be a reaſonable Compenſation for the Agent, you very properly agree to conſult the principal Merchants of Calcutta on the Subject.

109. " The Perſons conſulted were Mr. John Robinſon, Mr. Charles Croftes, and Mr. David Kellican. They report 12 ℔ Cent. as a Compenſation for Loſs by Decay, Waſtage, and Variation of Markets; 5 ℔ Cent. for the Agent's Trouble; and 3 ℔ Cent. for Cooley Hire, Servants Wages, and Charges of that Nature, amounting in the Whole to 20 ℔ Cent. upon the Prime Coſt of Stores to be provided.

110. " In the Governor General's Minute reſpecting the Coſt and Expenditure of Stores, it is ſtated that a Loſs has been ſuſtained of 45 ℔ Cent. ℔ Annum for Two Years; the Governor General therefore concludes that an Allowance of 20 ℔ Cent. would neither afford the Agent the ſmalleſt Encouragement, nor even the Proſpect of an Indemnification for Loſſes which might be ſuſtained in periſhable Stores. He therefore moves, that 30 ℔ Cent. ℔ Annum be allowed upon all Stores to be provided by the Agent.

(*a*) Vide Appendix, N° CCVI. (*b*) Vide Appendix, Ibid.

(*c*) At the Beginning of this Letter is the following Memorandum:

" Dated 23d Dec 1778.
Per Norfolk.
Fox.
Genl Barker.
Earl Talbot."

But at the End of the Letter it is dated the 28th Dec. 1778. Vide infra, P. 1438.

111. " Mr.

111. " Mr. Barwell ſays the Opinion of Merchants cannot be oppoſed to Facts; and that as the Loſs ſuſtained had been 90 ℔ Cent. in Two Years (or 45 ℔ Cent. ℔ Annum) he gives his Aſſent to the Governor General's Propoſal for 30 ℔ Cent. per Annum. But if the Company's Intereſt had been duly regarded by the Governor General and Mr. Barwell, they muſt have obſerved, that the exceſſive Loſs of Grain upon which their Eſtimate was calculated, had been occaſioned by the Want of proper Magazines, and by other Circumſtances eaſy to be remedied or corrected, and therefore ought not to have been urged as Arguments for granting 30 ℔ Cent. inſtead of 20 ℔ Cent. Commiſſion, in direct Oppoſition to a Report made at your own Requeſt by the moſt reſpectable Merchants in Calcutta, who, doubtleſs, would have gladly taken the Contract upon the Terms of their own Propoſitions.

112. " As the Idea of taking the Opinions of Merchants originated with Mr. Francis, we find he reſolved to abide by their Opinion.

113. " General Clavering has juſtly objected to the immenſe Profits of the Agent. He eſtimates the Amount of Proviſions for the Fort at Three Lacks of Rupees, and of Courſe the Agency at Rupees 90,000.

114. " And beſides the Commiſſion to be paid by the Company, the General obſerves, that Merchants calculate upon a Profit being gained from 15 to 25 ℔ Cent. on Proviſions brought from the Country to Calcutta; he therefore concludes, that the Agent may ſecure an additional Profit of 20 ℔ Cent. on that Account, which, added to his Commiſſion, renders the total Rupees 1,50,000 on the firſt Half Year's Delivery of Stores.

115. " The Mode of the Agent's Appointment was alſo objected to by General Clavering. The Perſon propoſed by the Governor General was Mr. Belli, his private Secretary. The General reminds the Board of the Company's Order, that Contracts ſhould be advertized; had this Mode been purſued, the Governor General's Secretary could only have obtained the Agency on the loweſt Terms. The Governor General objected to advertizing, leſt the World ſhould know what Proviſion was made for Defence of the Fort. This Reaſoning the General reprobates, becauſe, ſuppoſing it publickly known that Four Months Proviſions were ſafe in the Fort, it would diſcourage an Enemy rather than invite them to attack the Place.

116. " In anſwer to the General's Obſervations, the Governor General has pledged himſelf, that, if required by the Court of Directors, the Profits ariſing from the Agency ſhall be paid into the Company's Treaſury, and appropriated as the Court ſhall direct.

117. " On this View of Facts we deem it equitable, that the Amount paid or to be paid to Mr. Belli by the Company for Agency, be reduced to 20 ℔ Cent. which Sums, for the Reaſons above-mentioned, muſt be conſidered as an ample Compenſation for his Trouble, Riſk, Loſs, and all Expences whatever.

118. " It is therefore our poſitive Order, that, according to the Engagement of the Governor General, the Agent's Accounts be forthwith laid before your Board, and that the Commiſſion paid or to be paid to Mr. Belli on thoſe Accounts, be reduced to 20 ℔ Cent. and likewiſe that the ſaid Commiſſion be calculated upon the Prime Coſts of Proviſions furniſhed, and not upon the Bazar Price at Calcutta.

(Signed at the End of the Letter)

" R[d] Hall, G. Wombwell,
Wm Milles junr, Wm James,
J. Stables, L. Sulivan,
Thos Cheap, Jno Woodhouſe,
W. Devaynes, Jno Michie,
W. G. Freeman, Joſeph Sparkes,
Robt Gregory, John Roberts,
John Smith, H. Fletcher,
Samuel Peach."

London,
the 28th Dec. 1778 (*a*).

Read, from Book 213, already delivered in, the following Extract of a Conſultation of the 24th February 1780, beginning at Page 311 of the ſame Book.

[Fort William, 24th February 1780.

" At a Council; Preſent,
The Honble. Warren Haſtings, Govr Genl, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Mr. Barwell indiſpoſed.]

(" Read, the following Letter and Incloſure from Mr. Belli.

" Sir, Mr. Belli.

" Herewith I ſend you my Account of the Agency, ſhewing the Amount of the Payments " made to me, both of the Stores delivered into Garriſon, and for Commiſſion on the Amount " Purchaſe thereof, for the Purpoſe of changing the Stores, and making up the Waſtage, Driage,

(*a*) Vide ſupra, Page 1437, Note (*c*).

Leakage,

" Leakage, &c. of them; exhibiting alſo the Amount of the actual Coſt of the Stores, together " with the Loſſes and Expences incurred in the Execution of this Buſineſs to the preſent Time, " and the Balance or apparent Profit ariſing therefrom. By this it will appear that the Balance " or Profit, to the preſent Time, amounts to Current Rupees 1,52,290 8 6; but from this Sum " muſt be deducted a Loſs (which I have not ſtruck off from the apparent Balance of Profit in " the Account, as it can only be aſcertained at preſent by Eſtimate) of about 50,000 Rupees " for Loſſes, Charges of Merchandize, Cooly Hire, &c. which will be incurred by the Re- " moval of ſeveral of the Stores now in Garriſon, and replacing new in their Room, which freſh " Lodgments I am preparing to make, and ſhall commence the Delivery of them the Inſtant that " the new Granaries are completed; which, when delivered, my actual Profits, in the Courſe of " Three Years, will amount to no more than Current Rupees 1,02,000, a Sum ſo conſiderably " ſhort of that which the Honble. Court of Directors imagined I ſhould make on a Commiſſion " of 20 ℘ Cent. only, that it ſcarcely deſerves a Comment on my Ability to return any Parts of " the Profits I have received, or on the Poſſibility of my undertaking the Management of this " Buſineſs for leſs than the Conditions to which I am bound. Yet for the further Satisfaction of " the Board, I beg Leave to trouble you with the following Repreſentations.

" You will obſerve, Sir, that, in the actual Coſt of the Stores, they were provided ſomewhat at " a cheaper Rate than the Prices allowed me by the Company; but it might have happened that I " ſhould have been under the Neceſſity of making theſe Purchaſes at a Rate conſiderably above " the ſtated Prices to which I am confined to deliver at; and, as a Proof of the Fluctuation of the " Markets, Oil and Ghee are now 25 ℘ Cent. dearer than the Prices allowed me for thoſe Articles.

" I requeſt alſo, Sir, that you will be pleaſed to remark to the Honble. Board, that had there " happened a Scarcity of Grain I ſhould have got little or nothing for my Labour; that many of " the Advantages which I have hitherto met are of a very precarious Nature, and that ſome of " the Advantages have wholly ceaſed; for Inſtance, the Advantage gained on the original Pur- " chaſe of the Stores lodged, is a Source of Profit which ceaſes with every particular Lodgment " made; that the Advantages which I have hitherto met with, in the Diſpoſal of the Salt Pro- " viſions on Hand, which I have annually, after changing thoſe in Garriſon, may not again " happen, in which Caſe my Loſſes on them would be very heavy.

" I am liable to many Loſſes, and my Riſks are more than common; for a Seaſon of Plenty, " when I muſt ſell, or of Scarcity, when I make my new Purchaſes, may equally prove my Loſs; " and, if an extraordinary Degree, my Ruin.

" Under theſe Conſiderations it would have been Madneſs in me had I ventured to have con- " tracted for the Execution of this Buſineſs, with the Knowledge I have of it, under the Rate at " which I hold my preſent Commiſſion, as I could not have held an Expectation of being bene- " fited by it in caſe of Accidents. And here, Sir, I beg Leave to recapitulate a Paſſage in my " former Letters on this Subject; viz. 'That as the Profits of my Agency, which I have now " held near Three Years, with a Commiſſion of 30 ℘ Cent. have fallen ſo ſhort of what the " Honourable the Court of Directors imagined they would have been at 20 ℘ Cent. only;' and " have aſſented to my retaining my Commiſſion at 20 ℘ Cent. it could never be their Intention, " under ſuch Circumſtances, that I ſhould either refund the Profits I have received, or thoſe " which I am to receive ſhall be diminiſhed.

8 " I have the Honor, &c.

(Signed) " John Belli.") §

[Debtor

* Sic in Orig. ☞ [" D[r] The Agent Victualer for the Garrison of Fort William, in Account with the Honble. Company. C[r]

To Cash received at different Times from the Honble. Company's Treasury, in Payment for the Stores delivered in the Garrison of Fort William, amounting to C. R[s] — —			383,088	5	2		
To Do. received from Do. on Account of Commission on the Ammount * of the different Bills for victualing * Stores delivered into the Garrison of Fort William, for keeping the said Stores in good Condition, amounting to Current Rupees — —			267,987	12	4		
Current Rupees —			651,076	1	6		
By victualing * Stores, for the Amount of the actual Cost of sundry Articles purchased and delivered into the Garrison of Fort William, amounting to C. R[s] —			353,977	14	1		
Profit and Loss, the Difference of this Account, being the actual Losses sustained on changing, &c. the different Articles of Stores, during the Course of this Business, C. R[s] — —			40,338	15	11		
			394,316	14	0		
By contingent Charges for sundry Expences attending the Execution of the Business, from the Commencement to the 31st January 1780, amounting to C. R[s] —			104,468	11	0		
			498,785	9	0		
By apparent Profit to the present Time —			152,290	8	6		
Current Rupees —			651,076	1	6		

* Sic in Orig.

* Sic in Orig.

* Sic in Orig.

" Fort William, the 31st January 1780.

Errors excepted.

(Signed) " John Belli."

" Governor General.—The Court of Directors, adopting the Computation of the late Commander in Chief, have ſtated the Commiſſion on the Agency as a clear and certain Profit of 30 per Cent per Annum, on the original Amount, according to the Table of Rates, added toa probable Gain of 20 per Cent. on the Amount on the Firſt Purchaſe; and have made theſe the Grounds of their Order for reducing the Commiſſion from 30 to 20 per Cent.

" The Effect of this Order applied to their profeſſed Intentions and Explanation of it, and to the actual State of the Agency, will beſt appear from the following State of it."

" Agent for providing the Garriſon Victualling Stores his Account of the Profit, according to the Orders of the Court of Directors.

Dr				Cr			
To Caſh received from the Honble. Company for the Firſt Delivery of Stores —	300,000	0	0	By Stores Prime Coaſt * — —	3,00,000	0	0
To the Reduction of Commiſſion ordered from 30 to 20 per Cent; that is to ſay, of 10 per Cent. per Annum, for 3 Years —	90,000	0	0	† By Profit on the above, eſtimated at 20 per Cent. — —	60,000	0	0
	3,90,000	0	0.	By Commiſſion 30 per Cent. —	90,000	0	0
Profit allowed to the Agent in the Courſe of 3 Years — —	2,40,000	0	0	Firſt Year's Profit, as ſtated by the Court of Directors in the 114th Paragraph of the General Letter of the 23d December 1779 — —	1,50,000	0	0
				By Commiſſion on the 2 ſucceeding Years —	180,000	0	0
					6,30,000	0	0

* Sic in Orig.

" Governor General. —— † There is a Perplexity and Inaccuracy in this Mode of Computation, as it ſtates a much greater Profit than 20 per Cent. To render it correct, the prime coſt ought to be ſtated at 2,50,000, and the Profit on this Sum, calculated at 20 per Cent. 50,000, making the Whole 3,00,000. But as the Court of Directors have followed the original Error, and formed their Concluſions upon it, it is clear that the Amount produced by this Computation, was the Profit which they propoſed to allow to the Agent, after the Deduction of 10 per Cent. from his Commiſſion, and I have therefore retained it.

" From this Account, it appears to have been the Intention of the Court of Directors, to allow the Agent a Profit of 2,40,000 Rupees to the preſent Time; but his actual Profits, unaffected by their late Order, are no more than 1,02,290 Rupees, which is leſs than their preſent Sum by Rupees 1,39,710; and if it be inſiſted, that the Letter of their Orders ſhall be fulfilled, in Oppoſition to the manifeſt and declared Spirit of them, his Profits will be reduced to the ſcanty Sum of 10,290 Rupees, or 3,400 Rupees a Year for his Riſks, on a Capital of 3,53,977, which is leſs than One per Cent.

" I therefore offer it as my Opinion, and move, that this Subject be again referred, with theſe Explanations, to the Honourable the Court of Directors, with the Letter of the Agent recorded on this Day's Proceedings, and that they be made a Number in the Packet.

(Signed) " Warren Haſtings."

" Agreed, That this Subject be again referred to the Honourable the Court of Directors; and that the foregoing Letter and Account, with the Governor General's Explanation thereof, be ſent Numbers in the Packets, by the Swallow, for their Information."]

(Signed at the End of the Conſultation)

" Warren Haſtings,
P. Francis,
Edw[d] Wheler."

Read, from Book 25, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William to the Court of Directors, dated Fort William, the 14th of January 1780.

65. " Previous to the Receipt of your Commands of the 23d December 1778, we had converted the Plan of Mr. Belli's Agency, for keeping up a conſtant Supply of victualling Stores in Fort William for the Uſe of a Siege, into a Contract, and entered into written Engagements with him to continue the ſame for Five Years: We nevertheleſs communicated to him your Orders for reſtricting the Commiſſion upon his Purchaſes to 20 inſtead of 30 per Cent. and for preparing Accounts of his actual Diſburſements to be laid before us. By his Anſwer he avers, that the full Advantages of his Office have fallen far ſhort of the Computation made of what they would have amounted to at the Allowance of only 20 per Cent.; yet, as he has promiſed to deliver in his Accounts, which we expect will ſhortly come before us, we forbear to make any Remarks upon his Caſe, or to take further Meaſures with him for the preſent.

(Signed at the End of the Letter)

" Warren Haſtings,
P. Francis,
Edw[d] Wheler."

Read, from Book 430, already delivered in, the following Extract of a Conſultation of the 17th Auguſt 1779, beginning at Page 289 of the ſame Book.

" Fort William, 17 Auguſt 1779. Milr. Dept.

(No Preſents.) Depot of Proviſions for Fort William.

" In Circulation.

" Extract * Proceedings of the Governor General and Council of the 9th of Auguſt 79, reſpecting the Depot of Proviſions for Fort William, viz. * Sic in Orig.

" Sir Eyre Coote. —— I approve of the Depot of Proviſions, and Regulations reſpecting its being kept up."

" Governor General. —— Having received frequent Remonſtrances from the Agent of this Depot, concerning the heavy Loſſes and Inconveniences to which he is ſubjected by the preſent indefinite Term of his Agency, which obliges him to purchaſe the different Articles of the Stores at the current Prices of the Markets, and in ſuch Quantities as are ſpecified in the preſcribed Liſts, which, in Times of Scarcity, can neither be procured of equal Qualities as in Seaſons of Plenty, nor without an Increaſe in the Price, ſometimes even greatly exceeding the Rates preſcribed in the Table formed by the Board. The Governor General recommends that the Agency be converted into a Contract, and be fixed for the Term of Five Years. The Governor General deſires

* Sic in Orig. desires his Motion to be inserted in this Place; but, to prevent any Delay * passing the Resolutions required by the Subjects expressly submitted to the Board by the Commander in Chief in his Minute, he desires that the Opinion of the Board may be received upon it in Circulation.

" Sir Eyre Coote. —— I intirely concur in the Motion of the Governor General; as I am clear that a Contractor can act cheaper, and of course perform the Service better, by having his Contract for a Series of Years, than for One only, when his Profits must be immence†, even bear‡ him harmless, and much more to secure him a Profit; and this is better known than I do‖, by Members of this Board, to be the general Practice in Europe.

† Sic in Orig. ‡ Sic in Orig. ‖ Sic in Orig.

" However, had I not these fundamental Principles to induce me to support the Governor General's Motion, I should still most heartily join in it, from the long Knowledge I have of the Merits of Mr. Belli, whose Abilities, Honour, and Integrity I know to be equal to any Charge that Government can confer upon him, and which I am confident he will execute with as much Advantage to his Employers as Credit to himself and those who place him in it.

" Mr. Francis. —— Every Objection urged against disposing of the Bullock Contract for Five Years, in the Manner proposed, in my Opinion lies with greater Force against this Proposition; both of them stand in direct Contradiction to the 36th Article of the Company's Instructions to this Board, in which it is ordered, that all Contracts, with the Conditions, be publicly advertised, and sealed Proposals received for the same, &c.

" The Business of supplying the Fort with Stores has hitherto been performed by Agency, and this Mode was expressly chosen by the Governor General himself, because an Advertisement for a Contract for such Stores would be improper; it would be to tell the World what Provision was made for the Defence of the Garrison. See Consultation 4th November 1776.

" The Governor General now represents, that he has received frequent Remonstrances from the Agent for this Depot, concerning the heavy Losses and Inconveniences to which he is subjected by the present indefinite Term of his Agency; and on this Ground recommends that it may be converted into a Contract, and be fixed for the Term of Five Years.

" It is natural enough, that the Agent, after enjoying the most profitable Employment that I believe ever existed under this Government, since January 1777, without any public Complaint of those heavy Losses and Inconveniences against which he now remonstrates, should wish to have it secured to him for Five Years longer. It is also very natural, that, at the approaching Expiration of this Government, he should feel some Apprehensions for the Fate of his Agency under a new one, and that he should use his Interest with a Majority of the Board, if possible, to put it out of the Power of their Successors to reduce his immoderate Profits, or to make any new Arrangement for the public Service in this important Department. But when he affirms, that he has suffered heavy Losses and Inconveniences by the indefinite Term of his Agency, so extraordinary a Proposition ought to have been accompanied with something like a Proof; nothing less than it's being brought before us by the principal Member of the Board, could induce me to give it a serious Consideration.

" In Opposition to it I shall state some Facts which I believe will set the Matter in a clear Light.

" 1st. The Amount of the Provisions supplied by the Agent, since the Commencement of his Agency, is C^t R^s 3,70,252, prime Cost, as ℔ Account annexed. This Sum is advanced to him by Government as fast as his Supplies are purchased, consequently he has not been subject to any Distress or Difficulty to raise Money. He loses nothing on the Head of Interest, and if he is not very careless or unskilful in his Management, he ought to have been a considerable Gainer on the original Purchase of the several Articles, independant of the Profits he may make by the occasional Conversion of the Stores at favourable Opportunities.

" He has the Favour and Protection of Government to support him in his Purchases, which in this Country is no small Advantage. He buys great Quantities at a Time, and at what Season he pleases, and is paid at the Average Rate fixt by the Bazar Price of small Quantities; that is, he buys in gross and in effect sells in retail; and lastly, he trades with a Stock purchased for him with the public Money.

" 2d. To secure the Agent however against all possible Losses, to enable him to keep a constant Stock, and to reward him for his Trouble, it was originally agreed to take the Opinion of three of the most respectable Merchants in Calcutta, what might be a reasonable Commission on the Value of the Supplies to answer all the above Purposes; and Messrs Robison, Killican, and Croftes, who were consulted on this Occasion, reported that Twenty ℔ Cent. ℔ Annum would be a reasonable * Commission.

* Secret Consultations, 1777.

" It was resolved nevertheless by the Governor General and Mr. Barwell, against General Clavering's Opinion and mine, that 30 ℔ Cent. ℔ Annum should be allowed.

" 3d. The Commission already drawn by the Agent, on a Supply of C^t R^s 3,70,252, amounts to C^t R^s 2,29,912, that is, since the 10th of March 1777. His annual Commission on the above Sum amounts to C^t R^s 1,11,075, yet he complains that he suffers heavy Losses and Inconveniencies by the indefinite Term of his Agency.

" Nothing more I imagine need be said to demonstrate the Unreasonableness and Inexpediency of any Measure tending to continue the Agency on its present Footing. But, independant of all other Objections, I object to the proposed Contract, as to an Act exceeding the Limits of our lawful Authority.

" If

" If it be in the Power of a Majority of this Board, at the Moment of their own Diſſolution, to bind their Succeſſors by Engagements for any Term they think proper, and to diſable them from correcting any exiſting Abuſe, it will be in vain for the Company, or Parliament, to change the Adminiſtrations of the Company's Affairs in this Country, and to veſt it in other Hands.

" That Queſtion however, if I continue in the Government, ſhall be tried on Behalf of the Company, and if it be in my Power, the exorbitant Profits of this Agency, in whatever Shape it may be continued, ſhall be reduced. In the mean Time I proteſt againſt the Propoſition, and will not ſign the Contract."

" A State of the Amount of Stores lodged in the Garriſon of Fort William by the Agent Victualler, with the Amount of Commiſſion drawn thereon by him, for keeping up the Supplies in good Order and Condition.

One Bill for ſundry victualling Stores, dated					R^{s}	A^{s}	P^{s}	R^{s}	A^{s}	P^{s}
10th March 1777, for — —			71,923	9 5						
One Ditto——11th April — —			45,549	2 6						
One Ditto——4th May — —			32,758	12 3						
					1,50,231	8 2				
Commiſſion on Do. 30 ℔ Cent.			—	—	45,069	7 0				
								1,95,300	15 2	
One Do.——27th June 1777	—		—		27,329	4 9				
Commiſſion on Do. 30 Do.		—		—	8,198	12 7				
								35,528	1 4	
One Do.——4th October 1777	—		—		27,936	0 8				
Commiſſion on Do. 30 Do.		—		—	8,380	12 10				
								36,316	13 6	
One Do.——30th November 1777	—		—		40,393	1 3				
Commiſſion on Do. 30 Do.	—		—		12,117	14 9				
								52,511	0 0	
One Do.——30th April 1778	—		—		31,574	13 9				
Commiſſion on Do. 30 Do.		—		—	9,472	7 3				
								41,047	5 0	
One Do.——4th November 1778	—		—		27,243	10 9				
Commiſſion on Do. 30 Do.	—		—		8,173	1 1				
								35,416	11 10	
One Do.——21ſt January 1779	—		—		33,378	1 2				
Commiſſion on Do. 30 Do.		—		—	10,013	6 10				
								43,391	8 0	
One Do.——7th April 1779	—		—		32,166	4 5				
Commiſſion on Do. 30 Do.		—		—	9,649	14 1				
								41,816	2 6	

Commiſſion charged as follows on the undermentioned Sums, ſtated above for preſerving in good Condition the Articles which compoſe their Amount.

On 150328 8 2 from 30th April 1778 to the 1ſt May 1779,	45,069	7	6		
27329 4 9 from the 27th June 1778 to 27th June 1779,	8,198	12	7		
27936 8 0 from the 4th Octr 1778 to the 4th Octr 1779,	8,380	12	10		
40393 1 3 from 30th Novr 1778 to the 30th Novr 1779,	12,117	14	9		
150231 8 2 from the 30th April 1779 to the 1ſt May 1780,	45,069	7	0		
				1,18,836	6 2
Current Rupees				6,00,164	15 6

" N. B. The above Account ſtates the Amount of Stores ſupplied, and Commiſſion drawn thereon, as by the Bills and Accounts current of the Agent, and by ſuch Payments from the Treaſury as appear to be ſpecifically ſtated. This Explanation has been thought neceſſary, as ſome of the Payments entered in the Treaſury Account refer only to an Order of Council, none of the Particulars of which are mentioned, by which Means the Correſpondence between the Sums ſo charged to have been paid by the Agent Victualler, and the Particulars entered in his Accounts, does not in each Inſtance appear, wherefore it became neceſſary to rely chiefly on the Correctneſs of the latter in ſtating the foregoing Account.

Errors excepted.

Fort William, Accomp^{t} Genl's Office, 14th Auguſt 1779.

(Signed) " Ja^{s} Miller, Acting Accomp^{t} Genl."

" Mr. Barwell.—I have read with Attention the Diſſent and Proteſt of Mr. Francis to the Meaſure for continuing the Supply of victualling Stores with Mr. Belli, the preſent Agent who furniſhes theſe Stores.—The Principle on which this Diſſent is grounded might require Examination, if the Warmth with which it is made, and the Intimation given in the concluding Words of it, would allow any One who reads it to doubt the Influence under which it is written.

" That Species of Deſpotiſm which is eſtabliſhed and maintained by the Operations of an unremitted Dependance on the Will of Rulers, is, of all others, moſt pernicious to a Community, becauſe every Member of a Community ſo circumſtanced muſt, when it ſyſtematically prevails, either preſerve his Station by ſervile Compliances, or riſque it by adventuring to act on Principles of Freedom.—In ſhort, unremitted Dependance for pecuniary Benefits is a conſtant Bribe given to every Individual by the Rulers of every State, who annex it as a Condition to the Benefit they confer. I cannot, therefore, acquieſce in the Reaſoning I have heard advanced by the Members in Oppoſition, nor ſubſcribe to their Opinion, which would make the preſent Agent, who furniſhes and keeps up the Depot of Proviſions for the Garriſon of Fort William, hold his Office during Pleaſure.

" The Objections which are made to the Commiſſion of 15 per Cent. for furniſhing the Stores, and to the 15 per Cent. allowed to indemnify the Agent for replacing the decayed and damaged Stores, and renewing the whole Depot every Year, are indeed ingeniouſly ſtated, and the Inventive Powers appear taſked to the utmoſt to make this Commiſſion and this Allowance, amounting in the Whole to 30 per Cent. ſtrike the ſuperficial Reader as an exorbitant Premium; but I will adventure to affirm, on my own Knowledge of the periſhable Nature of the Stores ſupplied and kept up, that it is not poſſible for the Agent to derive much, if any Benefit, if he does not ſuffer a Loſs, which I really think he muſt from this Part of his Engagement.—Where is the Garriſon in which a Depot of Proviſions is kept up at public Charge that does not condemn more than 15 per Cent. of ſuch Stores in the Courſe of One Year, over and above the heavy Loſs ariſing to the Public by the yearly Renovation of the Depot. I believe the Depot of the Garriſon of Gibraltar is not, nor can be maintained by the Engliſh Government at ſo ſmall an Expence, while the Supplies are contracted for, and the Loſs of condemned Stores borne by the Nation, as well as of thoſe which, though not condemned, are ſold off at the End of every Year, as being of a periſhable Nature, and though fit for immediate Uſe, are not in a State of Preſervation, or capable of it, for the Courſe of another Seaſon.—And if this is the Caſe, and it certainly is the Caſe, 15 per Cent. for the Renovation of the Depôt of Proviſion for Fort William, and the Loſs ariſing from condemned Stores, is a very moderate Premium; much more moderate I affirm than the Expence would be to our Government, was a Contract entered into for an annual Supply, and the old Stores in Preſervation, and thoſe condemned ſold at the End of every Year for Government.—Why it ſhould be advanced as an Argument againſt the Mode propoſed for keeping up a Depot in high and perfect Preſervation, that the Agent may poſſibly do it without Loſs to himſelf, I cannot comprehend, unleſs it means to affirm by Implication, that Government can keep up ſuch a Depot with equal Facility, and without Loſs, or little Loſs: If this is the Poſition laboured to be eſtabliſhed, I deny it; and the Experience of every Man muſt contradict it. In what Office of our Government are Stores of a periſhable Nature kept up without Loſs, and a heavy Loſs to the Government. I am ſure that * in no Office that has ever fallen under my Obſervation, and I call upon the other Members for Information if any Office has under theirs.

* Sic in Orig.

" In all the Offices of Supply under our Government, Advances are made on the Application of our Officers, and a Commiſſion of 15 per Cent. allowed on the Rates fixed by Government on the Articles to be ſupplied. On many Articles this Commiſſion is reduced to nothing, as their real Price * far exceed the Rates, while on others it is enhanched † by being below the Rates. I dare affirm, the Agent for keeping up the Depot of Proviſions for Fort William would eſteem himſelf very happy to draw the Commiſſion clear for his Supplies, and diſengage himſelf from the further Allowance of 15 per Cent. with the Condition annexed to it of renewing and keeping up the Depot; but as I am convinced it is not for the Intereſt of Government to remit this Condition, and contract at 15 per Cent. ſimply for an annual Supply, I can never acquieſce to make his Office a mere Office, a mere Office * of Supply, and ſubject the Company to the burthenſome Loſs of renewing yearly ſuch periſhable Stores.—The perplext and intricate Manner in which the Account annexed to Mr. Francis's Minute is drawn, obliges me to oppoſe to it a more ſimple and comprehenſive one, ſhewing the Period, the Amount of the Supplies, and the Commiſſion from the 1ſt May 1777, to the 1ſt May 1779, in which Period the Firſt Purchaſe of 1,50,231 8 2 muſt have been renewed twice at the Expence of the Agent, and the ſubſequent ones to the 30th April 1778, once.

* Sic in Orig.
† Sic in Orig.
* Sic in Orig.

" I will not propoſe that the Commiſſion drawn of 15 per Cent. in the Courſe of the ſame Period, in any other Office, ſhould ſtand oppoſed.—I am convinced none of the other Offices of Supply are ſo low, or in which the Services of the Agent have a meaner Reward.

" I agree to the Propoſition of keeping up a Depot of Proviſion for the Garriſon of Fort William, on the Terms of the exiſting Agency, on a Contract for Five Years.

" A State

" A State of the Amount of Stores lodged in the Garriſon of Fort William by the Agent Victualler, ſpecifying the Dates of ſuch Lodgments, and ſhewing the Amount of Commiſſion which would accrue thereon, at 30 per Cent. per Annum, or 2½ per Cent. per Menſem, from their reſpective Dates to the 1ſt May 1779.

BILLS.	Dates of Bills.	Amount Principal.	Ys. Ms. Ds.	Amount Commiſſion.
Three Bills — —	1ſt May 1777.	1,50,231 3 2	2 0 0	90,138 14 0
One do. — —	27th June do.	27,329 4 9	1 10 3	15,099 6 10
One do. — —	4th Oct. do.	27,936 0 8	1 6 26	13,176 7 9
One do. — —	30th Nov. do.	40,393 1 3	1 5 0	17,167 0 11
One do. — —	30th April 1778.	31,574 13 9	1 0 0	9,472 7 3
One do. — —	4th Nov. do.	27,243 10 9	0 5 26	3,995 11 6
One do. — —	21ſt Jan. 1779.	33,378 1 2	0 3 9	2,753 11 0
One do. — —	7th April do.	32,166 4 5	0 0 23	616 8 4
	Current Rupees	3,70,252 12 11	C. R^{s}	1,52,420 3 7

" Fort William,
Accountant Genl's Office,
the 19th Auguſt 1779.

Errors excepted.
(Signed) " Ja^{s} Miller,
Acting Account^{t} General."

" As I have upon a very recent Occaſion aſſigned my Reaſons for preferring annual Contracts to Engagements of a longer Period; and as I have likewiſe endeavoured to prove, that no other can be entered into without ſubjecting, on the one Hand, the Contractor to an unreaſonable Degree of Riſk, or the Company, on the other, to an improvident Bargain, it remains only for me to add, that, in my Opinion, if Pains were taken to ſelect from among the Variety of Contracts that already have, or probably very ſoon will become the Subject of public Diſcuſſion, it might prove difficult to take from the Maſs one, where the Fitneſs of an annual Contract in Preference to a longer Period was more ſtriking, and where the Arguments in favor of a contrary Opinion can with leſs Effect or Reaſon be applied. Mr. Wheler, 17th Auguſt 1779.

" The Advantage and Utility of annual Contracts are ſo well known in England, that I do not recollect a ſingle Inſtance among the Company's Engagements, whether for Military or Naval Stores, for Proviſions, or for any Article either for Export or Home Conſumption, where the Contracts or Engagements have not expired with the Year; and although I am called upon by the Commander in Chief to evince the contrary Practice, I muſt here declare, that thoſe which I had the Honor to be engaged in with Government, were for no longer a Period. I may likewiſe further add, that the Public received no ſmall Advantage from the ſhort Duration of thoſe Contracts, yet ſufficient Encouragement was given to the Contractors.

" If then the fundamental Principles of Contracts are, as I have ſtated them, in favour of annual ones; or if this Precaution is neceſſary, and generally adopted in a Country where the Value of each Article can be aſcertained with ſo much Facility and Eaſe, and where either a Riſe or Fall of the Markets rarely exceeds 5 per Cent. how much more expedient muſt a ſimilar Regulation prove in Bengal when there is frequently a Fluctuation of 30 per Cent.

" To prove the Utility of entering into Engagements for ſo long a Period as Five Years, it is neceſſary in my Opinion to ſtate very different Arguments from thoſe made uſe of in the Governor General's Minute; vizt. It ought to be clearly aſcertained, that the Articles to be contracted for are ſubject to little or no Fluctuation, and that they will certainly be procured at or about the ſame Price which regulates the Markets at the Commencement of the Contract; without ſome ſuch Rule, the Contracting Parties will become equally expoſed to the ill Conſequences of long Engagements, which ſhorter ones are better calculated to relieve, if not entirely exempt them from.

" In addition to the above Arguments it may be neceſſary to obſerve, that a Depot of Proviſions in Fort William can only be required in the Caſe of a War or the Apprehenſion of a War, and that many Circumſtances may happen which might render it quite unneceſſary, and leave the Contract, if extended to the Time propoſed, an uſeleſs Burden and Expence on the Company.

" For theſe Reaſons I am againſt entering into any Contract for a Term exceeding One Year.

" Sir Eyre Coote.—Seen.

(No Signature at the End of the Conſultation.)

Read,

Read, from Book 55, already delivered in, the following Extract of a Conſultation, of the 4th October 1779, beginning at Page 638 of the ſame Book.

☞ [" Fort William, 4th October 1779.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell, } Eſquires.
Edward Wheler, }
Mr. Francis at Houghly.
Sir Eyre Coote gone to viſit the different Stations of the Army.

" The Governor General having ſent in the following Minute reſpecting the Contract entered into with Mr. Belli, it was circulated for the Peruſal of the other Members of the Board.

Governor General's Minute of Mr. Belli's Contract.

" The Governor General deſires the following Minute may be recorded on the Proceedings, in Reply to Mr. Francis's of the 17th of Auguſt.

" Governor General.—Mr. Barwell has already ſo fully anſwered every Objection urged by Mr. Francis againſt the Propriety of continuing to Mr. Belli the Agency for ſupplying the Garriſon of Fort William with Proviſions for Five Years, that any further Remarks from me appear to be unneceſſary. But when I conſider Mr. Belli's Situation in my Family, and the Acrimony of Style diſplayed in Mr. Francis's Proteſt, as well as the ſeveral Inſinuations contained in it, I cannot help deeming the violent Oppoſition he has made to my Motion as Perſonal; and viewing it in this Light, I ſhall trouble the Board with a few Remarks upon the Subject, after having thankfully acknowledged how much I think myſelf obliged to Mr. Barwell, whatever were his Motives, both for the Readineſs and Ability with which he has refuted the Arguments offered by Mr. Francis againſt this Meaſure.

" Mr. Francis begins by obſerving, that this Contract is in direct Oppoſition to the Company's Orders, and that the Buſineſs has hitherto been performed by Agency, &c.

" To furniſh a Depot of Proviſions for the Garriſon of Fort William is not a Buſineſs for Proclamation, nor to be diſpoſed of to the loweſt Bidder, for the Reaſons which I before uſed, and which Mr. Francis, I know not why, has quoted againſt it.

" An Agency, with a fixed Rate and a fixed Commiſſion, is, to all Intents and Purpoſes, a Contract. All that I have now propoſed, is to fix the Term, and to bind the Contractor by Penalties.

" I can by no Means agree with Mr. Francis, 'that the Agent Victualler enjoys the moſt profitable Employment that ever exiſted in this Government.'

" Mr. Livius has an Agency, with 15 per Cent. Commiſſion on Articles rated by former Charges of Commiſſaries, of courſe greatly above the real Coſt. Mr. Livius is profeſſedly patronized by Mr. Francis, who paſſes his Bills; Nine or Ten Lacks thus paid to him are yet unaccounted for.

" In anſwer to Mr. Francis's Inſinuation, that it is natural enough for the Agent to wiſh to ſecure himſelf before the Expiration of the preſent Government; I avow the Fact as to myſelf as well as the Agent.

" When I ſee a ſyſtematic Oppoſition to every Meaſure propoſed by me for the Service of the Public, by which an Individual may eventually benefit, I cannot heſitate a Moment to declare it to be my firm Belief, that ſhould the Government of this Country be placed in the Hands of the preſent Minority, they would ſeek the Ruin of every Man connected with me; it is therefore only an Act of common Juſtice in me to wiſh to ſecure them as far as I legally can from the Apprehenſion of future Oppreſſion."] ☞

§ (" Mr. Francis has groſly miſ-ſtated my Minute, when he ſays, I affirm the Contractor has " ſuſtained heavy Loſſes by the indefinite Term of his Agency. I am ſorry to add this to the " many Inſtances upon Record, during the Courſe of our Debates, of the Inaccuracy of Mr. " Francis's Quotations, and his ſubſequent Reaſonings in conſequence.

" I ſaid he was ſubjected to many heavy Loſſes, and ſome he has actually ſuſtained in the Pur- " chaſe of Articles at 20 ℔ Cent. above the Table of Rates. On the capital Article of Grain, " he has indeed been a Gainer, his Purchaſes having been luckily made at a Time of Plenty, and " his Sales with the public Apprehenſion of a Scarcity. His Succeſs in this Inſtance has alarmed " him for the future, and with Reaſon.

" Suppoſe the Reverſe had happened with his indefinite Agency, which may expire To-morrow, " he can only venture to purchaſe what is immediately wanted, and that he is obliged to provide. " He cannot venture to inveſt a large Capital in diſtant Commiſſions. Of courſe his Purchaſes, " by being made at hand, are from the deareſt as well as the neareſt Markets. He may buy his " Rice at 20 Seers for the Rupee, he may be under the Neceſſity of ſelling it at 40, and this one " Article proves his Ruin.

" With what Propriety can the Profits of this Agency be ſtyled immoderate?

" The Rates were fixed by accurate and actual Rates of the Market, and the Agent was allowed " the cuſtomary Commiſſion of 15 ℔ Cent. on the Purchaſes. He was obliged to change the

" Stores,

" Stores, and allowed for Damages (which in many would be the Loſs of the Whole, and in all of " ſomething) 15 ℔ Cent. on the prime Coſt ſo ſold. This Mr. Francis calls 30 ℔ Cent. and rates " it as a clear Profit.

" Beſides this Drawback the Agent, as will appear from an Inſpection of his Books, if called " for, has frequently been obliged to purchaſe Stores at a Price far exceeding the Allowances made " to him by the Company.

" In the Purchaſe of Ghee he has loſt	20 ℔ Cent.
" Moong	25 Do.
" Turmerick	17½ Do.
" Oil	52 Do.
" Salt Beef	33 Do.

" He is likewiſe liable to Loſſes in the Tranſportation of Goods to Calcutta, and by an Adven- " ture from Purnea laſt Seaſon ſuſtained a Loſs of 10,000 Rupees.

" Mr. Francis, ſtating the Sum of C^t R^s 2,29,912 as clear Gain to the Agent, makes no Deduc- " tions for the Loſſes I have ſpecified, nor has he conſidered the Decay, Waſtage, Servants Wages, " Cooley Hire, and other unavoidable Expences attending the Agency for near three Years: But, " in order to ſwell this Sum as much as poſſible, he has included in it about 70,000 Rupees as " received by the Agent, though the Riſk for which it was paid to him will not expire till May " 1780.

" Mr. Francis once thought differently of my Plan. The Words of his Minute, delivered on " the 4th of November 1776, when it was firſt read at the Board, were, 'If the Service be neceſ- " ſary in any Degree, it is a Service of the firſt Neceſſity, and ſhould not be ſtinted for the ſake " of any inconſiderable Saving which, in the Event, perhaps might only be apparent.'

" I am firmly of Opinion, and am happy to be confirmed in it by the Sentiments of the Com- " mander in Chief, that the Service muſt continue of the firſt Neceſſity while we continue in Poſ- " ſeſſion of Fort William. I alſo moſt heartily concur with the Commander in Chief in Opinion, " that the Board could not confer a Contract of this Importance on a Gentleman of more Honour " and Integrity than Mr. Belli, or who would more conſcientiouſly diſcharge the Duties of it.

" In Reply to Mr. Francis's Obſervations, that Mr. Belli enjoys the Favour and Protection of " Government, I do moſt ſolemnly declare, that he has never applied to me for the moſt trifling " Interference or Support in his Agency.

" I have one Remark to make on the Subject of this Agency, ſince Mr. Francis has thought " proper to make ſo pointed an Attack upon it. He muſt remember how ſtrenuouſly it was op- " poſed by the late General Clavering in its ſeveral Stages. His Proteſts and Remarks were tranſ- " mitted to the Court of Directors, and were received at a Time when our Proceedings were rigidly " ſcrutinized, and when every Meaſure propoſed by me, which could be deemed in the ſmalleſt " Degree objectionable, underwent the ſevereſt Comment. My Plan for ſupplying Fort William " with Proviſions paſſed without a Remark, and this is to me a convincing Proof that the Direc- " tors eſteemed it to be highly beneficial to the Company.") (*a*) §

(Signed) " Warren Haſtings.
(and at the End of the Conſultation)
" Warren Haſtings,
Richd Barwell,
P. Francis,
Edwd Wheler."

The Managers for the Commons informed the Houſe, they ſhould next produce certain Extracts which had been accidentally overlooked in the Courſe of the Proceedings, and then cloſe the Evidence on this Article, with the Accounts of the Loſſes before alluded to.

That they ſhould firſt therefore prove, that Mr. Sulivan was Aſſiſtant to Mr. Haſtings, and Judge Advocate at the ſame Time, which they had been prevented from eſtabliſhing in the proper Place, by the Books not being at hand at the Moment.

Read, from Book 28, already delivered in, the following Extract of a Conſultation of the 30th October 1780.

" Fort William, the 30th October 1780.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Lieutenant General Sir Eyre Coote abſent on Service.

" The Governor General requeſts the Permiſſion of the Board to employ Mr. Stephen Sulivan as his Aſſiſtant, and intreats that they will be pleaſed to indulge him with their joint Application

(*a*) Vide Appendix, N° CCVII.

to the Preſident and Council at Fort St. George, for their Permiſſion to Mr. Sulivan to remain here for that Purpoſe. The Governor General repreſents that the Labours of his Department have at all Times required, and do at this Time eſpecially require, greater Aids than he has been afforded or could command; that he has experienced the Abilities of Mr. Sulivan, and has made Choice of him as completely qualified for ſuch a Truſt. If the Board ſhall comply with this Requeſt, he begs Leave further to ſolicit their Grant to Mr. Sulivan of the Office of Judge Advocate General, vacant by Mr. Johnſon's Reſignation.

" Agreed, That Mr. Stephen Sulivan be appointed Aſſiſtant to the Honble. the Governor General, and to ſucceed to the Office of Judge Advocate General, vacant by Mr. Johnſon's Reſignation of it.

(Signed at the End of the Conſultation)

" Warren Haſtings,
Edw[d] Wheler."

The Managers for the Commons ſtated, they ſhould next produce the Account current between the Supercargoes at Canton, and the Preſidency at Bengal, which alſo had been omitted to be read on a former Day, not being immediately at hand.

Read, from Book 447, already delivered in, the following Extract of a Conſultation of the 28th July 1783, beginning at Page 293 of the ſame Book.

" Fort William, 28th July 1783.

Pub. Dep[t]. Friday.

" At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler, } Eſquires.
John Stables, }
Mr. Macpherſon indiſpoſed.

" Read the following Letter from the Supercargoes at Canton.

" Gentlemen,

Canton, 30th Dec.

" We have already done ourſelves the Honour of addreſſing you under Date the 26th November in Triplicate, this Seaſon, and forward the Diſpatches by Conveyances. We now beg leave to inform you, that the Nonſuch delivered her Cargo the 23d inſtant, and was accordingly diſcharged.

" Two Cheſts of Opium were deficient, alſo one damaged, which were wrote off the Bill of Lading.

" Encloſed we tranſmit you an Account Current with your Preſidency, alſo a Duplicate of our Letter dated the 12th December.

" We have the Honour to be, Gentlemen, &c.

(Signed)

" James Bradſhaw,
Geo. Rogers,
Abr[m] Roebuck,
Henry Browne,
John Harriſon,
George Cuming,
Charles Edw[d] Pigou,
Henry Lane,
Tho[s] Freeman,
Tho[s] Kuyck Van Midrop."

" Canton,
Dec[r] 30th 1783.

" Ordered, That the Encloſure in the above Letter be entered after the Conſultation.

(Signed at the End of the Conſultation)

" Warren Haſtings,
Edw[d] Wheler,
John Macpherſon,
John Stables."

Read, from the ſame Book, the Appendix to the ſame Conſultation, beginning at Page 308, of the ſame.

" The Preſidency of Bengal in Account Current with Canton.

		Tales.
To Bills of Exchange drawn in Favour of Col. Watſon, Sh Dollars — 41853,0000		30134,160
To Bills of Exchange drawn in Favour of C. Thornhill, Sh Dollars — 34248,5000		24658,920
To an Error in the above Bills — —		9,037
To Charges of the Nonſuch.		
Demorage — —	9028,800	
Pilotage — —	159,840	
Factory Expences — —	2,000,000	
Linguiſts Charges — —	75,000	
Meaſurage — —	2932,498	
		14196,138
To Bills drawn on Account of Certificates granted at Bengal —		160518,730
To Amount of Three Cheſts of damaged Opium —		444,705
To Balance — — —		50275,015
		280236,705

	Tales.
By Opium ℔ Nonſuch 1601 Cheſts, at 210 Hds ₫ls ℔ Cheſt	237324,705
By Caſh received of Captain Robert Geddes on Account of the Betſy's Cargo — —	42912,000
	280236,705

" Canton, 28th December 1782.

Errors excepted.

" James Bradſhaw, John Harriſon, Henry Lane,
Geo. Rogers, Geo. Cuming, Thomas Freeman,
Abrm Roebuck, Chas Edwd Pigou, Thomas Kuyck Van Mierop."
Henry Browne,

The Managers for the Commons informed the Houſe, they ſhould now cloſe the Evidence on this Article, by again calling Mr. Wright, the Accountant General to the India Company, to give in Evidence the Totals of the reſpective Loſſes to the Company, upon the ſeveral Articles of the Accounts, as they appear on the Books of the Company, under the different Subjects included in this Article of Charge.

The Counſel for the Defendant objected, that the Amount of theſe Loſſes could not be taken from the Inferences of the Accountant General, but muſt be proved to the Houſe by producing the Books themſelves, containing the reſpective Accounts.

The Houſe informed the Managers for the Commons, that the Books themſelves, being the beſt Evidence, muſt be produced, if required by the Counſel for the Defendant.

Then the Houſe adjourned to the Chamber of Parliament.

Die Lunæ, 30° *Maij* 1791.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker informed the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons informed the Houſe, they ſhould proceed to adduce Evidence of the Loſſes ſuſtained by the Company in Conſequence of the ſeveral Matters of Accuſation contained in this Article, wherever the ſame did not ſufficiently appear from the Evidence already before the Houſe: And firſt, with reſpect to the Smuggling Expedition to China, they ſhould produce the Invoices of the Ships that carried the Opium on that Occaſion: For which Purpoſe they deſired Mr. Wright might be again called in.

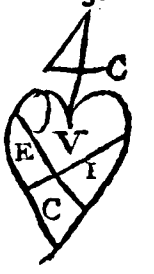
Mr. WRIGHT was accordingly called in, and examined as follows:

Q. Turn to the Invoice of Opium ſhipped on Board the Betſy and Nonſuch?

The Witneſs delivered in a Book, intituled, "Fort William Invoice Book, "1781-2."

Read, the following Extract from the ſame.

"Invoice of Fourteen Hundred and Sixty-ſix Cheſts of Patna Opium, laden by Cudbert Thornhill, for the Honble. Warren Haſtings, Eſq. Governor General, &c. Council of Fort William, on board the Ship Betſey, Robert Geddes Commander, bound to the Eaſtward and China, and goes conſigned to the ſaid Robert Geddes, being on Account and Riſque of the Honble. United Company of Merchants of England trading to the Eaſt Indies.——Marked as ℔ Margin. No. 23.



Patna Opium.					
1466 Cheſts — at A. R^{s} 400 ℔ Cheſt —	A. R^{s}	5,86,400	0	0	
Batta 8 ℔ Cent.		46,912	0	0	
					6,33,312 0 0
Charges Merchandize.					
Gunnies and Twine —		412	5	0	
Boat Hire — —		64	15	0	
Cooley Hire for ſhipping the Opium —		172	12	0	
Mending broken Cheſts —		109	5	0	
Matts for Dunnage — —		4	10	0	
Peon's Diet — —		4	10	0	
			768	9	6
Freight of 1466 Cheſts, at 50 Sicca Rupees ℔ Cheſt —	S^{a} R^{s}	73,300	0	0	
Batta 16 ℔ Cent. —		11,728	0	0	
		85,028	0	0	
					85,796 9 6
	Current Rupees —				7,19,108 9 6

"Fort William,
Accountant General's Office,
the 30th October 1781.

Errors excepted.
(Signed) "Wm Larkins,
Accountant General."

Read,

" Read, alſo, a further Extract from the ſame Book, as follows:

" (Corrected.)

No. 82. " Invoice of Sixteen Hundred and One Cheſts of Patna Opium, laden by the Honble. Warren Haſtings Eſq. Governor General, &c. Council of Fort William, on board the Ship Nonſuch, William Richardſon Commander, bound to Canton, and goes conſigned to Thomas Fitzhugh Eſq. &c. Supercargoes there, being on Account and Riſque of the Honble. United Company of Merchants of England trading to the Eaſt Indies.——Marked as ℔ Margin.

Patna Opium.

				A^s G^{ds}					
1601 Cheſts	—	at	C. R^s	449	6	4	℔ Cheſt	—	7,19,469 6 2
Charges Merchandize.									
Cooley Hire for ſending 1301 Cheſts				—		—		162 10 0	
Shipping 1601	do.				—			200 2 0	
Bhur for Lading 1236	do.				—			618 0 0	
Sloop Hire to the Barra Bulla 365	do.			—		—		730 0 0	
Boat Hire to the Sloop	—			—		—		45 10 0	
Durma Maulls and Peons Diet				—		—		11 11 0	
Repairing Cheſts and packing				—		—		975 12 0	
Godown Rent	—			—		—		200 0 0	
					S^a R^s	—		2,943 13 0	
				Batta 16 ℔ Cent.		—		471 0 2	
								3,414 13 2	

Freight on 1601 Cheſts, at 50 S^a R^s ℔ Cheſt — —	80,050 0 0			
Amount allowed to the Captain and Officers of the Nonſuch in Lieu of Privilege	8,000 0 0			
	88,050 0 0			
Batta 16 ℔ Cent. —	14,088 0 0			
		1,02,138 0 0		
			1,05.552 13 2	
		Current Rupees —	8,25,022 3 4	

" Fort William,
Accountant General's Office,
the 19th January 1782.

Errors excepted.
(Signed) " Wm Larkins,
Accountant General."

Q. (*Croſs-examined.*) The Loſs on the Betſey was occaſioned by the Capture of the Betſey; was it not?

The Managers for the Commons objected to the Queſtion.

Q. If that Opium had arrived regularly at the Place of Deſtination, what would have been the Profit upon the Sale of that Cargo, reckoning it according to the Price at which the Part of it was ſold?

The Managers for the Commons objected to the Queſtion.

Q. What was the Gain upon that which was ſold?
A. I am not prepared to ſtate that. I only know what it produced in China.

Q. What was the original Price, and the Produce upon the Sale?
A. The Price of the Whole of the Opium ſent to China, amounts to 90,169 l.

Q. What Part of that came to China, and at what Price was that which came there ſold?
A. That which was ſold from the Betſey amounted to 59,600 Dollars, or 14,795 l.

Q. What Proportion was that of the Whole?
A. There were only 300 Cheſts ſold out of 1466.

Q. What

Q. What are the Charges of Freight upon theſe Adventures?

A. The Whole of the Charges upon the Two Adventures, including the Intereſt upon Certificates returned to Bengal, the Charges of Freight, the Privilege allowed the Captain, &c. amounted to 25,265 l. upon both Ships; that, added to the prime Coſt I before ſtated, will be about 115,000 l.

Q. (*by Managers.*) What did the Bullocks under the Contract of 1779 coſt, from the Commencement of that Contract on the 1ſt of September 1779 to the 30th of April 1783, in Pounds Sterling, when they were kept up at 6,700?

A. 299,222 l.

Q. From the 1ſt of May 1783 to the 1ſt of May 1784, what did the Bullocks upon the ſame Contract coſt?

A. 4,074 Bullocks, for the Time mentioned, coſt 41,351 l.

Q. What is the Total?

A. In all 340,573 l.

Q. What would 4,074 Bullocks, at the Rates of the Contract in 1777, have coſt for all that Period?

A. The Coſt of 4,074, at the Rates of the Year 1777, would amount to 97,270 l. The Calculation is made upon the Numbers ſtated in the Board of Inſpection's Proceedings on the 2d September 1779.

Q. In what Proportion do you divide thoſe within and thoſe without the Provinces;—Are they taken Half within and Half without?

A. This Calculation is made upon the Suppoſition that 2131 Bullocks are beyond the Provinces, and 1,943 within the Provinces.

Q. (*by Counſel.*) From what Periods?

A. For the Whole of the Periods.

Q. (*by Managers.*) What is the Difference?

A. 243,000 l.

Q. What was the Difference between the Sum paid to Mr. Ferguſon, and the Sum paid to the Company Two Years after?

A. The Sum charged to the Agent in 1786-7 for 1,871 Bullocks, was 17 Rupees a Bullock; calculating the Price of 4,074 at that Rate, they would produce 8,034 l. in Two Years.

Q. (*Croſs-examined.*) Whether, in the Account you have given in of the Expences of the Bullock Contract, you have included thoſe Sums which were paid by Government for the preſſing of Bullocks occaſionally for public Service, and which Sums were paid by Government in the Shape of Remiſſion of Rents, and otherwiſe, to the Ryots whoſe Bullocks were ſo preſſed for the Service?

A. The Calculations I have made are merely the Contract Rates, and include nothing elſe.

Q. (*By Managers.*) Do you know of any ſuch Charges in the Accounts?

A. I do not recollect any ſuch Charges.

Q. (*by Counſel.*) Whether, during the Period of Mr. Crofts Contract, moſt of the Bullocks ſupplied by that Gentleman under his Contract were not employed out of the Provinces?

A. I cannot anſwer that Queſtion as to Number.

Q. Do you not know that, at this Moment, an Army of 18,000 Men have neceſſarily the Number of 23,000 Bullocks in the Carnatic?

A. I don't know the Number.——In the Information ſubmitted to the Houſe of Commons ſome Time back, I think that was the Number.

Q. You make the groſs Sum the Sum of 97,000 l.

A. At the Contract Rates in 1777.

Q. How much per Bullock do you charge at?

A. Thoſe without the Provinces, Draft Bullocks, are charged Five Sonaut Rupees per Month each.

Q. How many do you charge without the Provinces?

A. 1,442.

Q. How many within the Provinces; and at what Rate?

A. Within the Provinces, Draft Bullocks are charged at 3 Rupees 7 Annas per Month each.

Q. How many?

A. 1,307.

Q. Any at 3 Rupees 10 Annas?

A. Carriage Bullocks without the Provinces are charged at 3 Rupees 10 Annas per Month.

Q. How

Q. How many?
A. 689: Within the Provinces, 636 Carriage Bullocks, at 3 Rupees 3 Annas.

Q. Thoſe are the Data upon which you have made your Calculation?
A. They are.

Q. (*By Managers.*) What was the Amount of the Commiſſion actually paid to Mr. Auriol?
A. Total Commiſſion, from the Year 1780 to the Year 1783, amounted to 4,25,720 Current Rupees, or 42,572 l. Sterling.

Q. What was the Amount of Purchaſes made by Mr. Auriol in that Period?
A. I have not collected it yet.—I have an Account of the Commiſſion on the Purchaſes.

Q. What is that?
A. It is 2,45,253 Rupees, or 24,525 l.

Q. Is that Commiſſion upon the Purchaſes calculated at 15 per Cent.?
A. Yes.

Q. (*Croſs-examined.*) Theſe Supplies of Madras, were principally Supplies of Grain and other Neceſſaries in the Time of Scarcity?
A. They were Supplies to all the Preſidencies.

Q. Prior to this Time the Carnatic had ſupplied them with Grain, and there had been no Occaſion for Supplies from Bengal?
A. I cannot tell that.

Q. Can you tell what were the total Quantities of Rice?
A. I have not made out the Accounts.

Q. Can you form any Eſtimate of the Quantity of Rice ſent from Bengal to Madras?
A. The Quantity of Rice and other Grain, furniſhed to Madras during the Agency, appears, as far as the Accounts can be collected, to have amounted to 980,000 Maunds.

Q. How much is a Maund?
A. Two Thirds of an Hundred Weight.

Q. (*By Managers.*) What Commiſſion was paid to Mr. Belli, as Agent Victualler, during the Time of his Agency and Contract — the total Amount?
A. The total Amount is 10,32,981 Current Rupees, or 103,298 l. Sterling.

Q. That is calculated at 30 per Cent.?
A. Yes—At 30 per Cent.

Q. (*by a Lord.*) Do you know what the Number of Bullocks were, that were preſſed in any One Year?
A. I do not.

The Witneſs was directed to withdraw.

The Managers for the Commons informed the Houſe, they ſhould now cloſe their Evidence on this Article with again reading an Extract of a Letter from the Vizier to Mr. Purling, dated the 19th November 1779, already in Evidence before the Houſe, on a former Article.

Read, the following Extract from Page 496 of the printed Minutes.

" Extract of Tranſlation of a Letter from the Vizier to the Reſident, C. Purling Eſquire, at his Court, being an Encloſure in his Letter to the Board, dated Lucknow, 19th November 1779.

" The Situation of my Affairs, *reſpecting the* preſent Time, I informed Mr. Middleton of, both by Writing and Converſation, and I now proceed to lay the Whole before you.

" During theſe Three Years paſt, the Expence occaſioned by the Troops in Brigade, and others commanded by European Officers, has much diſtreſſed the Support of my Houſehold, inſomuch, that the Allowance made to the Seraglio and Children of the deceaſed Nabob has been reduced to One Fourth Part of what it was, upon which they have ſubſiſted, in a very diſtreſſed Manner, for theſe Two Years paſt. The Attendants, Writers, Servants, &c. of my Court, have received no Pay for theſe Two Years; and there is at preſent no Part of the Country that can be allotted to the Payment of my Father's private Creditors, whoſe Applications are daily preſſing upon me. All theſe Difficulties I have, for theſe Three Years, ſtruggled through, and found this Conſolation therein, that it was complying with the Pleaſure of the Honourable

Company, and in the Hope that the Supreme Council would make Enquiry from impartial Perſons into my diſtreſſed Situation; but I am now forced to a Repreſentation." *(a)*

Then Sir James St. Clair Erſkine was heard to ſum up the Evidence upon the Fourth Article of Charge.

Then the Managers for the Commons informed the Houſe, that, ſaving to themſelves all their undoubted Rights and Privileges, the Commons were content to reſt their Charge here.

Then the Houſe adjourned to the Chamber of Parliament.

(a) Vide ſupra, P. 496.

Die Jovis, 2° Junii 1791.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Speaker ſaid:

"Gentlemen who are of Counſel for Mr. Haſtings, You may proceed in his Defence; and the Lords will be pleaſed to give Attention."

Then Mr. Haſtings requeſted to be heard; and was accordingly heard to obſerve generally upon the ſeveral Matters relied on by the Managers for the Commons on Behalf of the Proſecution.

Then the Houſe adjourned to the Chamber of Parliament.

ERRATA.

IN the Minutes of Evidence, Page 1326, the Whole of the Ophium Contract ſhould have been entered, inſtead of the ſhort Extract thereof, read from the Conſultation of the 5th June 1781.

The ſaid Contract is as follows:

Mr. Sulivan's Contract.

" ARTICLES of Agreement indented, had, made, concluded, and fully agreed upon, this Fifth Day of June, in the Year of Chriſt One thouſand ſeven hundred and eighty-one, between the Governor General and Council of the Preſidency of Fort William in Bengal, on the Behalf of the United Company of Merchants of England trading to the Eaſt Indies, of the one Part, and Stephen Sulivan of Fort William aforeſaid Gentleman, of the other Part, in Manner and Form following; that is to ſay,

" Whereas it is agreed between the ſaid Stephen Sulivan, and the ſaid Governor General and Council of the Preſidency of Fort William on the Behalf of the ſaid United Company, that the ſaid Stephen Sulivan ſhall ſupply the ſaid United Company, during the Space of Four Years from the 1ſt Day of September next, with the ſeveral certain annual Quantities of Ophium herein-after mentioned; that is to ſay, with Two thouſand Maunds ℔ Year, to be made at the ſeveral Places herein-after mentioned in the Province of Bengal, and Three thouſand ſix hundred and ſixty Maunds ℔ Year to be made in the Province of Bahar, together with ſuch further Quantities as can be provided in each Year in each of the ſaid Provinces, on being paid for the ſame at the Rates and Prices herein-after mentioned; and that an Advance ſhall be made to the ſaid Stephen Sulivan by the ſaid United Company, at the Commencement of each Year, for Half the Price of the Opium which he is annually to be bound to deliver as is herein-after mentioned; and that, in caſe during the Courſe of the Buſineſs in any one Year, the ſaid Stephen Sulivan ſhall ſtand in need of greater Advances than the Half of ſuch Amount, that then ſuch further Advances ſhall be made to him by the ſaid United Company as he ſhall require, provided the ſame whole Advances ſhall not exceed the total Amount of the Opium to be delivered in ſuch Year at the Price contracted for: And alſo, that the ſaid Stephen Sulivan, in conſideration of the ſaid Contract and Agreement ſo made as aforeſaid, and that the ſaid Governor General and Council have agreed to aſſiſt and protect the ſaid Stephen Sulivan in the excluſive Right of providing the Opium which can be made in ſuch Provinces aforeſaid, as far as they lawfully may or can, ſhall pay to the ſaid United Company an annual Sum of Ten thouſand Sicca Rupees, in ſuch Manner and at ſuch Times as herein-after mentioned. Now theſe Preſents witneſs, that the ſaid United Company, in conſideration of ſuch Sum of Ten thouſand Sicca Rupees to be paid as aforeſaid, and of the Covenants and Agreements herein-after contained, on the Part and Behalf of the ſaid Stephen Sulivan to be performed and kept, do for themſelves, their Succeſſors and Aſſigns, covenant, promiſe and agree, to and with the ſaid Stephen Sulivan, his Executors, Adminiſtrators and Aſſigns, that they the ſaid United Company, their Succeſſors and Aſſigns, ſhall and will, ſo far as they lawfully may or can ſupport, maintain and protect him the ſaid Stephen Sulivan, his Executors and Adminiſtrators, in the excluſive Privilege of collecting and providing the Opium to be produced within the Provinces or Diſtricts of Bengal and Bahar, for and during the full End and Term of Four Years from the Firſt Day of September next enſuing the Day of the Date of theſe Preſents; and that he the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall receive from them the ſaid United Company, their Succeſſors and Aſſigns, all ſuch Support and Aſſiſtance in the Premiſes as has been heretofore uſually granted to the former Contractor with the ſaid United Company for Opium within the Provinces or Diſtricts aforeſaid, and ſo far as the ſaid United Company can or may lawfully grant ſuch Support and Aſſiſtance in the Premiſes. And alſo, that he the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall receive and be paid by or on Behalf of the ſaid United Company, for the Quantity of Three thouſand ſix hundred and ſixty Maunds herein-after covenanted by him to be yearly produced and made in the Province of Bahar, the Price or Sum of Ninety-five Sicca Rupees per Maund for every Maund thereof; and alſo a further Sum of Two Rupees and an Half ℔ Cent. on the net Proceeds of ſuch Opium, at the Medium of the Sales thereof in Calcutta: And alſo, that he the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall receive and be paid, by or on Behalf of the ſaid United Company, the Sum of Fifty Sicca Rupees for each and every Cheſt or Two Maunds of Opium, which ſhall be produced and delivered by him to the ſaid United Company, above the ſaid Quantity of Three thouſand ſix hundred and ſixty Maunds, as a Premium, and excluſive of and over and above the ſaid Price or Sum of Ninety-five Sicca Rupees ℔ Maund, and Two Rupees and an Half ℔ Cent. herein-before mentioned. And alſo, that for the Two thouſand Maunds of Opium herein-after covenanted by him to be yearly produced and made in the ſeveral Diſtricts of Boglepore, Havely, Mongheer, Purnea, Rungpore, and Bahar Bund, that the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall receive and be paid, by or on the Part and Behalf of the ſaid United Company, the Price or Sum of One hundred and twenty Sicca Rupees per Maund; and alſo, a further Sum of Twelve ℔ Cent. upon any Extra-advance to be made by him or them upon all and every ſuch further and other Quantity or Quantities as ſhall be

delivered

delivered by him or them, in each and every Year, over and above the ſaid Quantity of Two thouſand Maunds. And further, that he, the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall receive in Advance, and be paid by or on Behalf of the ſaid United Company, One Half Part of the Amount of the Money to become due to him, under and by virtue of theſe Preſents, for the ſaid expreſs Quantity of Five thouſand ſix hundred and ſixty Maunds of Opium, ſo ſoon after the Firſt Day of September next enſuing the Date of theſe Preſents, and in the early Part of each of the enſuing Years, conſidering each of ſuch Years to begin in the ſame Month of September, as the ſame conveniently may be, together with any ſuch further or larger Sum of Money than ſuch Half Part, if ſuch further Advances during the Courſe of any Year ſhall be found neceſſary, and ſhall be required by him the ſaid Stephen Sulivan; provided nevertheleſs, that ſuch Sum of Money ſo to be further advanced, together with ſuch firſt Advance to be made to the ſaid Stephen Sulivan, as aforeſaid, ſhall not exceed the Sum of Money which he the ſaid Stephen Sulivan in any one Year will become entitled to under the ſaid Preſents, for each Quantity of Opium to be annually delivered as aforeſaid. And alſo that he, the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall receive and be paid the Remainder of ſuch Monies ſo to become due to him as aforeſaid, if the ſame ſhall not have been previouſly advanced, in the ſeveral Proportions and Manner following; that is to ſay, One Fourth Part of the Amount of each Cheſt, at the Time of the Delivery thereof, manufactured by the ſaid Stephen Sulivan as herein-after mentioned, and the remaining Fourth Part of the whole Amount of the ſaid ſtipulated Quantity at the Time of the final Adjuſtment of the Accounts of the ſaid Stephen Sulivan with the ſaid United Company or Governor General and Council, on Account of the Opium to be delivered as herein-before and herein-after is mentioned. And the ſaid Stephen Sulivan, for the Conſiderations aforeſaid, and for other good Cauſes and Conſiderations him thereunto moving, doth hereby for himſelf, his Heirs, Executors and Adminiſtrators, covenant, promiſe and agree, to and with the ſaid United Company of Merchants of England, their Succeſſors and Aſſigns, in Manner and Form following; that is to ſay, That he the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall and will, yearly and every Year, that is to ſay, in the Month of Auguſt in each Year, during the Continuance of theſe Preſents (ſubject nevertheleſs to ſuch Proviſoes as herein-after is contained), well and truly pay or cauſe to be paid into the Treaſury of the ſaid United Company, at Fort William aforeſaid, or to ſuch Perſon or Perſons as ſhall for that Purpoſe be lawfully authorized and appointed to receive the ſame, the Sum of Sicca Rupees Ten thouſand. And alſo, that he the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall and will by himſelf and themſelves, and his and their reſpective Agents, collect, procure, and provide, within ſuch the Provinces and Diſtricts as aforeſaid, the full Quantity of Five thouſand ſix hundred and ſixty Maunds of Opium of the beſt Quality, and at leaſt equal to the Quality of the beſt Opium of the Dutch Eaſt India Company, in each and every Year, during the ſaid Four Years; that is to ſay, Within the ſaid Province of Bahar the ſaid Quantity of Three thouſand ſix hundred and ſixty Maunds herein-before mentioned, and in the ſaid ſeveral Diſtricts of Boglepore, Havely, Mongheer, Purnea, Rungpore and Baharbund, herein-before mentioned, the further Quantity of Two thouſand Maunds; and ſhall and will procure and provide ſuch further and other Quantity of Opium, of equal good Quality with the Quantity abovementioned, as can or may lawfully and reaſonably be collected, procured and provided, within the ſame Provinces or Diſtricts, and every of them: And alſo ſhall and will well and truly deliver, or cauſe to be delivered, to or on Behalf of the ſaid United Company, unto the Servants of the ſaid United Company, at the Khalſa of the ſaid United Company at Fort William aforeſaid, with ſuch Allowances and Contingencies for the Delivery of it as was and are made to John Mackenzie Eſquire, for the Opium delivered by the ſaid John Mackenzie Eſquire at the Khalſa aforeſaid; that is to ſay, After the Rate of Ten current Rupees for each and every Cheſt of Opium which ſhall be delivered from the Province of Bahar, and of Ten current Rupees for each and every Cheſt of all the Opium which ſhall be delivered from the Province of Bengal, the Whole and every Part and Parcel of the ſaid Opium to be collected, procured and provided as aforeſaid in its crude State; and ſhall and will well and ſufficiently manufacture, and cauſe and procure ſuch Opium to be manufactured, at ſuch Places reſpectively, or at any or either of them, under and ſubject to the Superintendance, Controul and Direction of ſuch Perſon and Perſons particularly, as the Governor General and Council ſhall from Time to Time appoint for that Purpoſe, free and clear of every Expence, and all Coſts and Charges whatſoever (ſave the ſeveral and reſpective Prices and Sums of Money herein-before covenanted and agreed to be paid him for the ſame). And the ſaid Stephen Sulivan, for himſelf, his Heirs, Executors and Adminiſtrators, doth further covenant, promiſe, and agree, to and with the ſaid United Company, that if Default ſhall be made in the Delivery of the ſaid ſtipulated Quantity of Three thouſand ſix hundred and ſixty Maunds of Bahar Opium, or any Part thereof, yearly and every Year during ſuch Time and Times as herein-before mentioned, that then, and in ſuch Caſe, he the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall and will well and truly pay, or cauſe to be paid, unto the ſaid United Company, or to the ſaid Governor General and Council on Behalf of the ſaid United Company, the full and juſt Sum of Three hundred Sicca Rupees (over and above and excluſive of the Money herein-before covenanted and agreed to be paid him in Advance on Account of each and every ſuch Maund of Opium as aforeſaid, and which Advance he will well and truly repay for each and every Cheſt of Opium which ſhall be ſo deficient as aforeſaid, and for ſtated Damages hereby fixed and agreed upon to be paid on Account of any ſuch ſhort Delivery; and alſo that he the ſaid Stephen Sulivan, his Executors and Adminiſtrators, ſhall and will well and truly pay, or cauſe to be paid, to the ſaid United

Company,

Company, or to the ſaid Governor General and Council for and on Account of the ſaid United Company, the further Sum of Seven hundred and fifty Sicca Rupees for each and every Cheſt of Opium which he or they ſhall at any Time during ſuch Four Years as aforeſaid ſell, barter, or in any Manner, directly or indirectly, diſpoſe of or deliver to any Perſon or Perſons whomſoever other than and except the ſaid United Company, and the Agents and Servants for receiving the ſame for and on Account of the ſaid United Company; it being the true Intent and Meaning of theſe Preſents, and of the Parties to the ſame, that no Part of the Opium which can or may be provided by the ſaid Stephen Sulivan, under and by virtue of theſe Preſents, in the Provinces aforeſaid, ſhall be diſpoſed of or delivered to any Perſon but for and on Account of the ſaid United Company, under any Excuſe or Pretence whatſoever. And laſtly, the ſaid Stephen Sulivan doth for himſelf, his Heirs, Executors, and Adminiſtrators, further undertake, promiſe and agree, to and with the ſaid United Company, their Succeſſors and Aſſigns, that he the ſaid Stephen Sulivan, his Executors, Adminiſtrators and Aſſigns, ſhall and will well and truly pay, or cauſe to be paid, unto the ſaid United Company, their Succeſſors and Aſſigns, ſuch Duties upon all and every Part of ſuch Opium which may happen to be imported by him or them into the ſaid Provinces of Bengal and Bahar, from Ghazipore, the Diſtrict of the Rajah of Banaras, or the Province * Oude, which are uſually paid by all other common Merchant Adventurers or other Perſons whatſoever. In Witneſs whereof, the Honourable Warren Haſtings Eſquire the Governor General, and Edward Wheler Eſquire, Counſellor of the ſaid Preſidency of Fort William, to one Part of theſe Preſents, delivered to the ſaid Stephen Sulivan, have ſet their Hands, and have cauſed the Common Seal of the ſaid United Company to be affixed; and the ſaid Stephen Sulivan to one other Part thereof, delivered to the ſaid Governor General and Council for the ſaid United Company, hath ſet his Hand and Seal, the Day and Year firſt above written.

* Sic in Orig.

"Sealed and delivered,
(Where no Stamps are in Uſe or to be had)
In the Preſence of
Edw[d] Wheler."

In the Appendix, N° CLXXXIII, Page 951, Line 7, dele [
——— Line 10, dele]

Die Martis, 14° *Februarij* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

" Gentlemen, you who are of Counſel for the Defendant, may now proceed in his Defence; and the Lords will be pleaſed to give Attention."

Then Mr. Law, of Counſel for the Defendant, was heard in Part to open the Defence generally, and to obſerve upon the ſeveral Matters relied on by the Managers for the Commons in Support of their Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Veneris, 17° *Februarij* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed in his Defence.

Then Mr. Law was further heard in Part to open the Defence generally, and to obſerve upon the ſeveral Matters relied on by the Managers for the Commons in Support of their Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Martis, 21° *Februarij* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed in his Defence.

Then Mr. Law was further heard to open the Defence generally, and to obſerve upon the ſeveral Matters relied on by the Managers for the Commons in Support of their Charge; and being fully heard thereupon,

The Houſe adjourned to the Chamber of Parliament.

Die Jovis, 23° Februarij 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer, of Counſel for the Defendant, was heard in Part to open the Defence to the Firſt Article of Charge particularly, and to obſerve upon the Matters relied on by the Managers for the Commons, in Support of the ſaid Firſt Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Mercurij, 29° Februarij 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer was further heard in Part to open the Defence to the Firſt Article of Charge particularly, and to obſerve upon the Matters relied on by the Managers for the Commons in Support of the ſaid Firſt Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Jovis, 1° Martij 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer was further heard in Part to open the Defence to the Firſt Article of Charge particularly, and to obſerve upon the Matters relied on by the Managers for the Commons, in ſupport of the ſaid Firſt Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Martis, 24° *Aprilis* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer was further heard in Part to open the Defence to the Firſt Article of Charge particularly, and to obſerve upon the Matters relied on by the Managers for the Commons, in ſupport of the ſaid Firſt Article of Charge.

Then the Houſe adjourned to the Chamber of Parliament.

Die Jovis, 26° *Aprilis* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed in his Defence.

Then Mr. Plumer was further heard to open the Defence to the Firſt Article of Charge particularly, and to obſerve upon the Matters relied on by the Managers for the Commons, in ſupport of the ſaid Firſt Article of Charge.

And, being fully heard thereupon;

The Houſe adjourned to the Chamber of Parliament.

Die Martis, 1° *Maij* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed in his Defence.

The Counſel for the Defendant informed the Houſe, they ſhould begin with that which was made the Subject of the Firſt Evidence offered by the Managers for the Commons, on the Firſt Article of Charge, and ſhew the Situation of Bulwant Sing, in the Year 1764; for which Purpoſe they deſired Mr. Robert Hudſon might be called in.

Mr. ROBERT HUDSON was accordingly again called in; and delivered in a Book, entituled, "Bengal Country Correſpondence received, 7 Dec. 1763, to 29 Jan. 1765," and marked "70."

Read, the following Extract from the ſame.

(N° 283.)

"Tranſlation of a Propoſal of Raja Bulwund Sing, by Soochiet Roy, to Major Munro, with the Major's Anſwer, received (in Calcutta) 16th November 1764.

"Propoſal.—If you, Gentlemen, chooſe to poſſeſs yourſelves of Shuja ul Dowla's Country, I will agree to hold the Sircars of Benaris and Gazypoor, and Jounpoor and Bajeigurr, &c. on the ſame Terms as I hold them from Shuja ul Dowla, and I have commiſſioned Ruja Shittabroy to ſettle this Matter for me. I will beſides take upon myſelf the Management of Auzimgurra, and Two or Three other Diſtricts, paying the cuſtomary Rents; and I requeſt, that you will give me the Sunnuds for them, and let me poſſeſs * * * which was given to me, Rent-free as uſual." * Sic in Orig.

"Anſwer.—For the preſent the Sunnuds ſhall be granted you, and you ſhall be eſtabliſhed in the Territories till the Concluſion of the Negotiation with Shuja ul Doula."

Read, alſo, a further Extract from the ſame Book.

(N° 284.)

"Tranſlation of a Paper delivered by Rajah Shitabroy, the 16th November 1764.

"Raja Bulwund Sing *as written to me as follows; "If it is the Intention of the Engliſh "Gentlemen to take Poſſeſſion of Shuja ul Dowla's Dominions, I will agree to hold Benaris and "Gazypoor, &c. which have long been under my Juriſdiction; the Revenues of which amounted "to about 24 Lacks of Rupees a Year, and I paid 1,70,000 Rupees monthly, on the ſame Terms "from the Company as I did from Shuja ul Doula." He likewiſe deſires, that in caſe the Engliſh Army ſhould march forwards to conquer the Country, the Diſtricts of Auzimgurra and Coonda, &c. which are near to Benaris, and lie very convenient for him, may be added to his Juriſdiction, as the Raja is a Man who adheres to his Engagements, and pays his Rents regularly: If it is your Pleaſure to take the Country, let the Management of the aforeſaid Territories be committed to his Charge; and, in caſe of an Accommodation with Shuja ul Dowla, yet let a favourable Anſwer be written to the Raja, to ſet his Mind at Eaſe; he is a Perſon of high Rank, and the Zemindar of a frontier Country." * Sic in Orig.

Read, from Book 37, already delivered in, the following Extract of a Conſultation of the 27th of December 1764, beginning at Page 691 of the ſame Book.

" Fort William, the 27th December 1764.

See. Dept. Thurſday.

" At a Conſultation; Preſent,
The Honourable John Spencer Eſquire, Preſident;
Charles Stafford Playdell Eſquire,
Ralph Leyceſter Eſquire,
John Burdett Eſquire.

" Received a Letter from Meſſ. Billers and Dacres, at Benaris, acquainting us with their Arrival there the 8th inſtant; and that on their Application to Major Munro, they found he had made an Agreement with Bulwand Sing to leave him with the Collection of the Revenues, on paying the Company the ſame annual Sum he had before paid to the Vizier Shuja Dowla; and that Major Munro had made this Appointment to Bulwand Sing in conſequence of the King's Requeſt, and had thought proper to aſſign the firſt Payment of this Collection to his Majeſty's Uſe, on account of his having no other immediate Support.

(Signed at the End of the Conſultation)

" J. Spencer,
C. S. Playdell,
R. Leyceſter,
John Burdett."

Read alſo, from Book 146, already delivered in, the following Letter from Meſſrs. Billers and Dacres to the Board.

(N° 130.)

" To the Honourable John Spencer Eſquire,
Preſident and Governor, &c. Council of Fort William.

" Honourable Sir, and Sirs,

" We arrived here the 8th inſtant; and, on our Application to Major Munro, found he had made an Agreement with Bulwan Sing to leave him with the Collection of the Revenues, on paying the Company the ſame Sum he had before paid the Vizier Sujah Dowlah annually. Mr. Haer has ſince tranſmitted us Copy of your Letter of the 26th ultimo, with a Duplicate of the Inſtructions given to Mr. Marriott, &c. which we ſhall ſtrictly abide by.

" Major Munro will have informed you, that he has made this Appointment to Bulwan Sing, in conſequence of the King's Requeſt; and has thought proper, as the King has no other immediate Support, to aſſign the firſt Payment of his Collection to his Majeſty's Uſe.

We are, with Reſpect,
Honourable Sir, and Sirs,
Your moſt obedient humble Servants,

Benares,
the 13th December 1764.

" Wm Billers,
P. M. Dacres."

Read, from Book 505, already delivered in, the following Extract of a Conſultation of the 17th of January 1765.

" Fort William, the 17th January 1765.

Thurſday.

" At a Conſultation; Preſent,
The Honourable John Spencer, Eſquire, Preſident;
Charles Stafford Playdell,
Ralph Leyceſter,
John Burdett,
} Eſquires.

" You will ſee, by the Letters from the Board, that the King is to be put in Poſſeſſion of whatever Part of this Country ſhall be conquered by our Arms, and the Management of it given to ſuch as he pleaſes. I therefore called in Bulwant Sing, at the Requeſt of the King; but as he had offered his Services before that Time, or that I knew the Intentions of the Gentlemen at Calcutta of keeping the Country, I encouraged his coming in as much as poſſible; and, upon his getting the Country, as before, to collect the Revenues the ſame as he did for the Vizier, together with the King's ſending Nabob Munier Dowla for him, he came in; and our Agreement with him for collecting the Revenues has ſince been confirmed by the Board.

(Signed at the End of the Letter)

" Hector Munro.

(And at the End of the Conſultation)

J. Spencer.
R. Leyceſter." (*a*)

(*a*) Vide Appendix, N° CCVIII.

Read,

Read, the following Extract from the printed Minutes of Evidence, beginning at Page 13 of the ſame.

VII.

" It being firmly reſolved to reſtore to his Highneſs the Country of Benares, and the other Diſtricts now rented by Bulwund Sing, notwithſtanding the Grant of the ſame from the King to the Engliſh Company, it is therefore agreed, that they ſhall be ceded to his Highneſs in the Manner following; viz. They ſhall remain in the Hands of the Engliſh Company, with their Revenues, till the Expiration of the Agreement between Bulwund Sing and the Company, being on the 27th of November next; after which his Highneſs ſhall enter into Poſſeſſion, the Fort of Chunar excepted, which is not to be evacuated until the Sixth Article of this Treaty be fully complied with."

Read, from Book 507, the following Extract of a Conſultation of the 11th of April 1788, beginning at Page 320 of the ſame Book.

* " Fort William, 11th April 1788.

" With reſpect to ſeveral of theſe, a Queſtion of conſiderable Importance ariſes. It appears that many Zemindars were diſpoſſeſſed by Bulwant Sing, when he was employed as Aumil of Benares under the Father of the late Sujah Dowla. Their Claims were acknowledged by Mr. Haſtings in 1781, and his Determination went to the Reſtoration of them to their Zemindaries; which, with regard to Rajah Adel Sing, was literally carried into Execution.

(Signed at the End of the Conſultation)

" Cornwallis,
J. Shore." (*a*)

Read, from Book 508, the following Extract of a Conſultation of the 21ſt May 1788, beginning at Page 948 of the ſame.

" Fort William, 21ſt May 1788.

Secret Dep. Wedneſday.

" At a Council; Preſent,
Earl Cornwallis, K. G. Governor General, Preſident;
The Honble. Charles Stuart,
and
John Shore Eſquire.

" Read, the following Letter and its Incloſures, from the Reſident at Benares." (*b*)

Read, a further Extract from the ſame Book and ſame Conſultation, beginning at Page 949 of the ſame.

" Encloſed I ſubmit a ſhort Statement of the Dates and Manner of the Diſpoſſeſſion of the ſeveral Landholders, on the Claims of whoſe preſent Repreſentation your Lordſhip in Council has decided; whence they appear to have all happened prior to the Acceſſion of the Company to the Dewanny of the Province of Bengal and Bahar, or even to the firſt Acquiſition of Benares, by the Britiſh Arms in the Year 1766; ſo that, although all the Perſons in queſtion were not diſpoſſeſſed, as your Lordſhip's Reſolutions ſeem to imply, in the Life-time of Sufder Jung (my Addreſs of the 16th February only ſpecifying the Anceſtor of Gobind Jut to have then loſt the Zemindary of Kimlet), yet the Dates of the Diſpoſſeſſion of all appear to be anterior to the moſt diſtant of the Periods of Limitation pointed out in the Reſolutions of the 11th ultimo, and thereby afford a ſufficient Ground for theſe Reſolutions.

(Signed at the End of the Letter)

" Jonn Duncan, Reſident.

(And at the End of the Conſultation)

" Cornwallis,
Cha. Stewart,
J. Shore." (*c*)

Benares,
9th May 1788.

Read, a further Extract from the ſame Conſultation, beginning at Page 955 of the ſame Book.

" Tranſlation of Amrow Sing's Report of the Date of the Diſpoſſeſſion of ſundry of the former Landholders of the Diſtrict now compriſing Part of the Zemindary of Benares. Enclofure in a Letter from the Reſident of Benares, of 9th May.

" Meer Ruſtun Ali Khaw was diſpoſſeſſed from his Farms of the Cerkars of Benares, Chunar and Juanpore; and Bulwant Sing was appointed by the Nabob Saadut Khaw, the Predeceſſor of

* N. B. There is no Entry at the Beginning of the Conſultation of the Members who were preſent.

(*a*) Vide Appendix, N° CCIX. (*b*) Vide Appendix, N° CCX. (*c*) Vide Appendix, ibid.

Muzoor Khan, to the Charge of the Collections thereof, on the 21ſt of the Month of Suffer, in the 1151 of the Hejerah; that is 51 Years and 7 Months ago.

2nd.

" The Raja of Byy Gurr was forced to reſign his Ameldarry of the Byy Gurr Diſtrict, and to ſell the Fortreſs of that Name for 70,000 Rs to Raja Bulwant Sing, in the Fuſſilee Year 1160, that is 36 Years. Raja Adel Sing is the preſent Repreſentative of this Family.

3rd.

" Loll Bukermajeet, the Raja of Pergunnah Hunlet (the Anceſtor of Govind Jeet and Raja Ram Gholaum) was diſplaced in 1161 Fuſſilee, that is 35 Years ago. At that Time Mahommad Khuli Khan and Roy Purtab Sing were the Naib of the Soubah of Allahabad and Oude. As there was a large Balance of Revenue due from the ſaid Loll Buckermajeet to the aforeſaid Kuli Khan as Naib of Allahabad, Bulwant Sing (who then paid his Revenue to Roy Pertab Sing, who came to aſſiſt Kuli Khan in the Expulſion of Buckermajeet), gave the Banker, Nundoo Loll Sahi, Security for 90,000 Rs, for the Liquidation of the latter Balance, and thereupon poſſeſſed himſelf of Kunteel.

4th.

" The Nabob Abul Mumoor Khan, the Father of Shajued Dowla, died in 1168 of the Hejera, that is 33 Years ago.

5th.

" The Nabob Fuzul Ali, Khan of Ghazapoor, was diſplaced from Ghazeepore in 1169 Fuſſilee, that is 27 Years ago. Beny Behader was at that Time Naib of the Soubah of Oude, on the Part of the Nabob Sujah Dowla, and appointed Raja Bulwant Sing to Ghazypoor.

6th.

Baboo Dergbyy Sing (the Father of Raja Bhuggat Sing), then the Zemindar of Seunga, in the Pergunnah of Chowlah, was diſplaced by Force of Arms by Raja Bulwant Sing, in 1170 Fuſſilee, that is 26 Years ago.

7th.

" Bhowayl Sing, the Zemindar of the Pergunnah of Beluah, was diſpoſſeſſed by Bulwant Sing in the Fuſſily Year 1171, 25 Years ago." (*a*)

To ſhew the Conduct of Bulwant Sing during the War between Sujah Dowlah and Coſſim Al'y Cawn and the Engliſh in the Years 1764 and 1765;

Read, from Book 37, already delivered in, the following Extract of a Conſultation of the 26th of April 1764, beginning at Page 142 of the ſame Book.

" Fort William, the 26th April 1764.

Secret Dep. Thurſday.

" At a Conſultation; Preſent,
The Honourable Henry Vanſittart Eſquire, Preſident;
Commodore Tinker,
Warren Haſtings Eſquire,
Randolph Marriott Eſquire,
Samuel Middleton Eſquire,
Ralph Leyceſter Eſquire,
John Burdett, Eſquire.

" Received Two Letters from Major Carnac, dated the 9th and 17th inſtant, the former repeating, and explaining fully, the Reaſons which determined him to croſs the Soane and retire towards Patna; and adviſing us, that he is now convinced, from Bulwand Sing's Behaviour, (of which the Major gives us an Account), that his propoſed Alliance with us was only a concerted Scheme to draw us further on, and ſo favour Shuja Dowla's Deſigns of getting between our Army and Patna.

(Signed at the End of the Conſultation)
" Saml Middleton,
Ralph Leyceſter,
John Burdett."

(*a*) Vide Appendix, ibid.

Read,

Read, from Book 146, already delivered in, the following Extract of a Letter from Major Carnac to the Preſident and Council at Fort William, dated the 9th of April 1764.

" With regard to Bulwand Sing, I am convinced he has only been amuſing us, and that the propoſed Alliance was a concerted Scheme to bring us further on; for though I added my Seal to the Nabob's, in a Province of the Sovereignty of his Zemindary, on Condition of his joining with us, upon my requiring, in Proof of his Sincerity, that he would deliver to my Cuſtody the Fort of Serounjah, (which would have been in our Rear had we proceeded further up the Ganges), and that he would give me a Meeting, he evaded both, and never obſtructed the Enemy, nor afforded us the leaſt Supply of Grain, both which he might eaſily have done.

(Signed at the End), " John Carnac."

Read, from Book 37, already delivered in, the following Extract of a Conſultation of the 6th November, 1764, beginning at Page 579 of the ſame Book.

" Fort William, the 6th November 1764.

Secret Dept. Tueſday.

" At a Conſultation; Preſent,
The Honourable Henry Vanſittart Eſquire, Préſident;
John Spencer Eſquire,
Chas Stafford Playdell Eſquire,
Warren Haſtings Eſquire,
John Johnſtone Eſquire,
Samuel Middleton Eſquire,
Ralph Leyceſter Eſquire,
John Burdett, Eſquire.

" To Major Hector Munro, Commander in Chief of the Army.

" With reſpect to Bulwand Sing, the Rajah of Benaris, and Zemindar of the Gauzepoor Country, the double Part he acted in the Beginning of the War, ſufficiently warns us to put no Confidence in him; and therefore, if he has not already been permitted to join you, or you have entered into no Engagements with him, we would have him diſpoſſeſſed of his Country, and his Perſon, if poſſible, ſecured.

(Signed at the End of the Conſultation)
" J. Spencer,
C. S. Playdell,
Ralph Leyceſter."

Read, from Book 505, already delivered in, the following Extract of a Conſultation of the 21ſt January 1765.

§ (" Fort William, 21ſt January, 1765.

Monday.

" At a Conſultation; Preſent,
" The Honourable John Spencer Eſquire, Preſident;
" Chas Stafford Playdell, } Eſquires.
" Ralph Leyceſter, }
" John Burdett, }

Major Carnac's Letter.

" Received a Letter from Major Carnac, dated Coſſibuzar the 5th inſtant, adviſing of his " Arrival there the Day before, and that he ſhould proceed on as faſt as the Things which are of " immediate Neceſſity for his Journey can keep pace with him. That he has Advice of Bulwant " Sing's having eloped from our Army,")§ ☞[and deſiring an explicit Account of our Plan and Views in the Proſecution of the War, that he may regulate his Conduct accordingly; but offering at the ſame Time, as his Opinion, that we have engaged ourſelves too far with the King, unleſs it be our determined Reſolution to purſue Shuja Dowla to the utmoſt, and to decline all further Reconciliation with him.

" Agreed, we write him in Anſwer, That with regard to the Intelligence he mentions to have received, of Bulwant Sing's having left our Army, we ſuppoſe it muſt be entirely groundleſs, not having had any ſuch ourſelves; and that no Engagements have been made with him, but ſuch as it is equally for his Intereſt as ours ſhould be fulfilled.] ☜

(Signed at the End of the Conſultation)
" J. Spencer,
J. Burdett." (a)

(a) Vide Appendix, N° CCXI.

Read, alſo, from the ſame Book, the following Extract of a Conſultation of the 1ſt of April 1765.

" Fort William, the 1ſt April 1765.

Secret Dept. Monday.

" At a Conſultation; Preſent,
The Honourable John Spencer Eſquire, Preſident;
Charles Stafford Playdell Eſquire,
Ralph Leyceſter Eſquire,
John Burdett Eſquire,
George Grey Eſquire.'

" Agreed alſo, That we do now write a Letter to the General and Mr. Marriott, on the Subject of the Agreement made by them with Bulwantſing as adviſed in their different Letters of the 18th, 22d, and 28th February, and 9th ultimo. That this Man acted, from the firſt, ſo wavering a Part, that we expreſſed, in our Inſtructions to Major Munro, after the Battle of Buxar, our Wiſh to have no Manner of Connection with him, but rather that his Perſon ſhould be ſecured, and ſome other placed in his Zemindary who was more to be relied on. However, as the Major had, previous to the Receipt of theſe Inſtructions, admitted him to a Treaty, and received him on the Faith thereof, that we conſented to abide by it; in this alſo he failed, and therefore it was our Intention to have truſted him no further; which Sentiment is alſo expreſſed by the General in his Letter of the 15th January, from Coſſimbuzar, where he points him out as One by no means to be depended on: That this is ſufficient to inſpire us with the ſtrongeſt Doubts of his Fidelity, and ſee but too much Cauſe to apprehend, if Shuja Dowla ſhould again move this Way, with any conſiderable Force, or our Army, at any Time, receive a Check, that he will be the firſt to break his Engagements in favour of the Enemy; and as his Situation will always place him between our Provinces and our Army, he may be able to do us much Miſchief, if allowed to keep up a Force: That, after Bulwantſing, in Violation of his Treaty, had deſerted our Army, it was, as before obſerved, our Wiſh, that the Country had been placed in the Hands of ſome Perſon on whoſe Fidelity we might at leaſt have had ſome Dependence, and whoſe Troops might have been an Addition to our own Strength, in caſe of a Renewal of War: But as it appears, that Bulwandſing has again been received back on the Faith of Promiſes made by them, that we ſhall abide by them, though we wiſh none had been made till our Sentiments had been known: That we can now only recommend, that a ſtrict Eye be kept upon his Conduct and Correſpondence; and that he be not allowed to maintain ſuch a Body of Forces as may, on any Occaſion, be detrimental to us: That, at the Time we ſay this, we are willing to give up thoſe Articles, amounting to Rupees 2,28,306 10, which were left undetermined by them, in hopes of making it his Intereſt to remain faithful, by the Advantages he will reap from his Connection with us, the Security that we look for from extending our Frontiers being a greater Object than any Increaſe of our Revenues.

(Signed at the End of the Conſultation)

J. Spencer,
R. Leyceſter,
J. Burdett,
George Gray."

The Managers for the Commons deſired, That the Conſultation containing the Subſtance of the Letters referred to in the laſt mentioned Extract, might be read.

Read, accordingly, from the ſame Book, the following Extract of a Conſultation of the 21ſt March 1765.

☞ [" Fort William, the 21ſt March 1765.

Secret Dept. Thurſday.

" At a Conſultation; Preſent,
The Honble. John Spencer Eſquire, Preſident;
Charles Stafford Playdell, } Eſquires.
George Gray, }
Mr. Burdett indiſpoſed.

" Received ſince our laſt Meeting Three Letters from Mr. Marriott, Chief of Benaris, dated the 18th, 22d, and 28 ultimo, adviſing of Bulwantſing's Return, and of his having, in Conjunction with General Carnac, ſettled with him for his Revenues to be paid the Company; and encloſing a Statement of them with Copies and Tranſlations of the Agreements to which he referred us, adviſing further that the Raja had already paid the King about 1,20,000 R^{s}; he had received two himſelf, and was to receive another immediately. (*a*)

(Signed at the End of the Conſultation)

" J. Spencer,
George Gray."]

(*a*) Vide Appendix, N° CCXII.

Read,

Read, alſo, a further Extract from the ſame Book and ſame Conſultation, as follows:

☞ [" Agreed,
" That on the Subject of the Agreement made with Bulwantſing, and the Points therein referred to our Determination, we have not yet reſolved any thing; but have in the mean Time given the Directions before minuted to the Gentlemen of Benaris." (*a*)] ☜

The Counſel for the Defendant ſtated, They ſhould next proceed to ſhew the Situation in which Bulwant Sing ſtood with reſpect to the Vizier Sujah Dowlah after the Treaty of Allahabad, and after the Country was reſtored to the Vizier.

Read, the following Extract from Book 509, already delivered in, beginning at No. 31 of the ſame Book.

" To Bulwand Sing, written D°. *

" I am lately informed, that you have ſtopped ſeveral Boats, even with Military Stores, though they had Engliſh Duſtuchs, and have demanded Duties from the Merchants ſelling Diamonds to Mr. Chamier, though he has the Nabob's Perwaniah to exempt him therefrom. A Reſpect to the Engliſh Seal is due from you on all Occaſions; and whenever, therefore, any Duſtuchs ſhall come, you will paſs the Boats without Delay, and ſend a Copy of the Duſtuch to me, and I will take Care no Abuſe is made. The Nabob has a Right to your Obedience in every Thing, and it is therefore a high Offence to act in Contradiction to his Commands; you will therefore abſtain from ſuch Behaviour, and pay a due Regard to all his Orders in future."

(No Signature).

To ſhew the Circumſtances under which Cheit Sing was appointed to ſucceed Bulwand Sing in the Management of Benares,

Read, from Book 504, already delivered in, the following Extract of a Conſultation of the 25th September 1770, beginning at Page 644 of the ſame Book.

" Fort William, the 25th September 1770.

" At a Select Committee; Preſent,
The Honourable John Cartier Eſquire, Preſident;
Claud Ruſſell, and Charles Floyer, } Eſquires.

" To the Honourable John Cartier Eſquire, Preſident and Governor, to Gentlemen of the Select Committee.

" Honourable Sir and Sirs,
" I am this Moment come from the Vizier, who ſent for me, to acquaint me of the Death of Bulwand Sing, which happened the Night before laſt. His Excellency deſires me to acquaint you, that he ſhall ſet out in a few Days for Benares, to take Meaſures for his own Advantage; but that he ſhall be happy to act in ſuch a Manner as will prove moſt agreeable to you, and that he hopes you will write him inſtantly on this Subject. This, however, the Vizier ſeems determined on, not to allow Bulwand Sing's Son to hold the ſame Authority as his Father did, either in Country or Forces.

(Signed at the End of the Letter) " Gabriel Harper.

" Fayzabad,
the 25th Aug. 1770,
10 P. M.

And at the End of the Conſultation,
" John Cartier,
Claud Ruſſell,
Charles Floyer." (*b*)

Read, from Book 4, already delivered in, the following Extract of a Letter from the Preſident and Council at Fort William, to the Court of Directors, dated September the 11th 1770.

2. " We have juſt received Advices of the Death of Rajah Bulwand Sing, who died at Benaras the 23d ultimo, after a ſhort Indiſpoſition of ſome Hours. A few Months ago the Rajah had gone through a long and painful Sickneſs, of which he had apparently recovered; and, barring his old

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* Upon Reference back no Date appears—the previous Letter having a Blank left for the Date.

(*a*) Vide ſupra, Appendix, N° CCXII.

(*b*) Vide Appendix, N° CCXIII.

Age,

Age, and the Infirmities incident to it, he was far from being conſidered in any immediate Danger. In our former Letter, Gentlemen, we expreſſed our Sentiments of the Conſequence it was to your Affairs, that the Succeſſion to the Zemidary of Benaras ſhould continue in the Family, but that it was a delicate Point to accompliſh with the Vizier. A Regard to your Intereſt has long made it our Wiſh, but the doubtful Conduct of the Vizier has, for ſome Time, made it an unſeaſonable Meaſure. The Occaſion, however, now demanded immediate Diſpatch, and the Preſident was requeſted to write the Vizier accordingly, in favor of the Son of the late Rajah, in Terms that would leaſt awaken his Jealouſy. The Time has been, Gentlemen, when this might have been made a Demand; but Circumſtances are now much changed, and even Addreſs is neceſſary to ſolicit. A jealous ſuſpicious Diſpoſition of the old Rajah, aſſiſted by a Diſtruſt of their own Children, inherent in the Minds of the People of this Country, may poſſibly have been the Reaſon why the Son was not included in the Treaty of 1765; for had he expreſſed a Wiſh to ſecure the Zemindary in his own Family, at a Time when the Vizier was receiving back his Country from our Hands, a Doubt can ſcarcely be found but it would have been attended with Succeſs; but ſuſpicious, probably, of Conſequences that his Son ſhould think he had a Right to the Succeſſion, and equally fearing that the Meaſure might be attended with a conſiderable Reduction to his Treaſures from the uſual Preſents made on ſuch Occaſions, his whole Aim ſeemed to center in Self-ſecurity, without the leaſt Attention to the Good of his Poſterity; indeed it would appear at a Time when lately his Life was deſpaired of, this Thought firſt ſtruck him, and he was deſirous then to engage our Intereſts, and appeared no way backward to ſatisfy the Vizier, as to any pecuniary Preſent which might be expected from him. But he was no ſooner free from Danger but this Love of Money returned upon him, and he became no longer eager to obtain his Wiſh, but ſolely through our ſuppoſed Intereſt with the Vizier, and meeting with no Inconvenience to himſelf.

Signed at the End of the Letter,

" John Cartier,
Claud Ruſſell."

Read, from Book 504, already delivered in, the following Extract of a Conſultation of the 25th September 1770, beginning at Page 648 of the ſame Book.

" Fort William, the 25th September 1770.

" At a Select Committee; Preſent,

The Honble. John Cartier Eſquire, Preſident;
Claud Ruſſell, and Charles Floyer, } Eſquires.

" The Vizier Yeſterday informed me that he had received a Letter from Allage Cawn, who acquainted him that Bulwand Sing's Son had promiſed to preſent the Nabob with Ten Lacks of Rupees if he would grant him the Sunnuds his Father held: His Excellency has promiſed to do it (he is much changed in a few Days), provided he pays him Double that Sum as a Nezaranah, and increaſes the Revenue Five Lacks per Annum. The Nabob will not I think march until he hears again from Allage Cawn. The Truth I believe is, he is apprehenſive of determining on any Thing until he knows ſomething of your Intentions regarding this Affair.

" His Excellency entreats that you will be pleaſed to take ſome effectual Meaſure for his being repaid the Ten Lacks he lent his Majeſty.

" I have the Honour to be, with the higheſt Reſpect,
Honble. Sir, and Sirs,
Your moſt obedient and moſt humble Servant,
Gabriel Harpur." (*a*)

To ſhew the Senſe Cheit Sing himſelf expreſſed of the Obligation conferred upon him by the Company for their Favour on the Occaſion of his Acceſſion,

Read, from Book 199, already delivered in, the following Extract of a Letter from Rajah Cheit Sing to the Preſident, dated 7th November 1770.

" From Rajah Chyte Sing, 7th November 1770.

" The Favour of the Engliſh Serdars is ſuch that I cannot deſcribe the ſmalleſt Particle thereof, and if even every Hair of my Head was a Tongue it would be impoſſible to expreſs my ſeonce* of it: May the Almighty preſerve the Engliſh Serdars in their Eſtabliſhment, by hearkening to the Prayer of your ſincere well Wiſhes, and for the Reſt may the Wealth and Proſperity of your Excellency endure." (*b*)

* Sic in Orig.

(*a*) Vide ſupra, Appendix, N° CCXIII.

(*b*) Vide Appendix, N° CCXIV.

To

To ſhew the Tenure of the Rajah Cheit Sing, and his Situation under the Company,

Read, from the printed Minutes, beginning at Page 59, the following Extract of a Conſultation of the 24th Auguſt 1775.

" Fort William, the 24th Auguſt 1775.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honble. George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" Reſolved, That the following Letter be written by the Governor General to Raja Cheyt Sing, to be delivered to Mr. Fowke with his Credentials.

" To Raja Cheyt Sing.

" By the Treaty concluded with the Nabob Aſoph ul Dowlah on the 21ſt of May laſt, of which you are already apprized, the Diſtricts which you held as a Zemindarry from him, and from his late Father, the Vizier Suja ul Dowlah, have been ceded to the Engliſh Company.

" The Board have therefore thought proper to depute Mr. Francis Fowke, on their Behalf, to take Poſſeſſion of theſe Territories; but being willing to continue the Grant of the Zemindarry to you in as full and ample a Manner as you poſſeſſed it from the former Sovereigns, and upon the ſame Terms, that is to ſay, on your paying to the Order of the ſaid Company at Benares the annual Tribute of Rupees 23,72,656 : 12, by regular monthly Kiſts, or Payments of Rupees 1,97,721 : 6 : 4, in each Month, I have delivered to the Charge of Mr. F. Fowke a Sunnud in the Name of the Company, with a Kelaat, with which he is empowered to inveſt you in due Form, reſerving however to the Company the Sovereignty of the Country to the full Extent that it was or might have been held by the late or preſent Soubah of Oude. Upon Occaſion of this Inveſtiture, after paying a Nuzzerranna for the Company, which I have fixed at 10,000 Rupees, it is neceſſary that you take an Oath of Fealty or Allegiance to the Company, by which you are to underſtand, that on forming any Alliance with a foreign Prince, or acting in any Manner contrary to the Fidelity which you have thus ſworn to maintain to the Company, your Zemindarry, with all the Rights and Privileges granted to you by the Company, will become forfeited; and it will be proper that a public Proclamation ſhould be made of theſe Tranſactions, that the Natives as well as Europeans may be fully informed of the Grant made to you, with the Reſervation of the Rights of Sovereignty to the Company.

" I mean, as ſoon as it is in my Power, to fix a proper annual Compenſation to be made by you for the Grants of the Mint and Cutwally, to tranſmit you Sunnuds for them, to continue in Force during your Life; but I muſt wait for Information from Mr. Fowke to enable me to ſettle theſe Matters.

" The other Sources from which the Nabob of Oude drew a Revenue will alſo be granted you, that you may poſſeſs an uncontrouled and free Authority in the Regulation and Government of your own Zemindarry; and Mr. Fowke is authorized to treat with you, to ſettle the moſt equitable Terms upon which you may obtain theſe Articles.

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
R. Barwell,
P. Francis."

Read, from Book 75, already delivered in, the following Extract of a Conſultation of the 9th November 1775, beginning at Page 860 of the ſame Book.

" Fort William, the 9th November 1775.

Secret Dept. Thurſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richd Barwell, } Eſquires.
Philip Francis, }

" Honble. Sir, and Sirs,

" In purſuance of your Inſtructions, of Date the 24th Auguſt, I received on the 21ſt October the Sum of 10,000 Gomſoy Rupees from Rajah Cheite Sing, as a Nuzzaranah in Acknowledgement of the Sovereignty of the Honourable the Eaſt India Company over the Territories of his Zemindarry, Proclamation of which has been made through the City of Banaras, and Perwannahs have been iſſued by the Rajah to the ſeveral inferior Zemindars, with Orders that the ſame be

proclaimed throughout their reſpective Diſtricts on the 23d October. I received from the Rajah a Tahud under his Signature in the Form deſcribed; adminiſtered to him an Oath of Allegiance, and delivered to him the Sunnuds of Inveſtiture, and a Khelaut in the Manner you were pleaſed to direct in your Letter of the 12th October.

" I have made a diligent Inquiry into the Nature of the Mint and Cutwally, and hope to be able in a few Days to tranſmit to your Honourable Board a ſatisfactory Account of thoſe Offices.

" I have the Honour to incloſe herewith the Tahud on the Part of Rajah Cheite Sing; and to ſubſcribe myſelf, with the greateſt Reſpect, &c.

" Benaras, (Signed) Francis Fowke.
30th October 1775.

(Signed at the End of the Conſultation)
" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Rich[d] Barwell,
P. Francis. (*a*)

Read, from Book 78, already delivered in, the following Extract of a Conſultation of the 8th January 1776, beginning at Page 526 of the ſame Book.

" Fort William, the 8th January 1776.

Secret Dept. Monday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" Received the following Letter from Mr. Francis Fowke.

" Honourable Sir, and Sirs,

" I have received the Honour of your Orders under Date the 6th inſtant. The Raja is at preſent employed at ſome Diſtance from Benares in the Reduction of ſome ſeditious Zemindars. His Return is in a few Days expected, when I ſhall be careful immediately to communicate to him your Pleaſure.

" In my Addreſs of the 30th October laſt, I had the Honour to tranſmit to you an Account of the Inveſtiture of Raja Cheit Sing, and from the Fear of unneceſſarily troubling your Honourable Board with the Relation of mere Forms and Ceremonies, had expreſſed myſelf in Terms as conciſe and ſhort as poſſible. Having, upon more mature Reflection, conſidered that the Forms practiſed upon ſuch ſolemn Occaſions are the Evidences of Sovereignty and Subjection, and ſhould conſequently ſtand on the Records of the Honourable Company, I have thought it my Duty to lay before your Honourable Board the following particular Account of this Ceremony:

" The Raja's Palace being ſituate on the further Side of the River would have much impeded the Proceſſion of this Ceremony to it. It was further judged proper, and by the Raja himſelf propoſed, that he ſhould ſhew a Reſpect to the Power from whom he received this Honor, by advancing from his Palace to meet it. In conſequence of this, Tents were erected upon a Plain on the Weſt Side of the City, to which the Raja proceeded in the Morning of the 23d October, attended by all his Officers and the principal Inhabitants of the Place. Upon his giving me Information of his Arrival at the Spot, I ſet out in my Palenqueen, and proceeded ſlowly towards the Tents, my Father accompanying me, and a Servant carrying with him the Khelaut upon an Elephant. I alighted at ſome ſmall Diſtance from the Tent, where the Raja advanced to meet me, and conducted me in. After an Exchange of the uſual Compliments, the Rajah propoſed that we ſhould retire into a ſmaller Tent, which we accordingly did; the Raja himſelf attended by his Dewan Moonſhy and Two other Servants, and my Father accompanying me with my Moonſhy and another Servant attending, the Tahud was then read to the Raja, his Seal by his Direction affixed to it, and the Inſtrument itſelf delivered into my Hands. The Raja then directed all his Servants except his Dewan to retire, and in Preſence of myſelf, my Father, and my own Two Servants, took an Oath of Fealty to the Honourable the Eaſt India Company, ſwearing upon his Sword to obſerve inviolably his Allegiance to the Honourable Company, and to enter into no Engagement or Alliance with any other Power whatſoever. I had before conſidered the kind of Oath that would be the moſt proper upon this Occaſion, and having learnt that this of his Sword was highly ſacred, and at the ſame time exempt from a Degree of Diſgrace attending ſome kind of Oaths, I had conſented to his taking it. The Raja's Servants were after this called again into the Tent; the Sunnuds were read to him, and I delivered them, together with the

(*a*) Vide Appendix, N° CCXV.

Honourable

Honourable the Governor General's Letter, with my own Hand to the Raja. We then returned into the large Tent, where the Khelaut was produced, and put on by the Rajah, at which I aſſiſted ſo much as to make the Act my own; and at the Concluſion delivered a Sword and Shield into his Hands, and the Elephant and Horſe were brought forward to the Door of the Tent. During the Performance of this Ceremony the Raja's Chubdars and Servants repeated Words of ſimilar Import to thoſe of "God ſave, and long live, the Honourable Company." The Rajah after this made Three ſeveral low Obeiſances, as to the Power from whom he had received this Honour; and, taking his Leave of me, left the Tent upon an Elephant. I got into my Palenqueen ſoon after, and was ſaluted at my Departure by a Diſcharge of ſome Pieces of ſmall Artillery, which were drawn up before the Tent.

"I have not been wanting to remonſtrate to the Raja againſt the Tardineſs of his Payments of the Kiſt, but hitherto without Succeſs; having to this Time received only Seven Lacks and Nine thouſand of Ten Lacks which are due.

I am, &c. &c.

"Benares, 20th Dec. 1775. (Signed) Francis Fowke.

(Signed at the End of the Conſultation)

"Warren Haſtings,
J. Clavering,
Geo. Monſon,
Rich[d] Barwell,
P. Francis."

Read, from Book 6, already delivered in, the following Extract of a Letter from the Governor General and Council, to the Court of Directors, dated the 11th September 1775.

"To the Honourable the Court of Directors for Affairs of the Honourable the United Company of Merchants of England trading to the Eaſt Indies.

"Honourable Sirs,

"Par. 10. In our Letter of the 3d Auguſt, of which you will receive a Duplicate by this Ship, you are adviſed of the Acquiſition of the Territories of Raja Cheyt Sing to the Company, and of the Steps which we had then taken towards ſettling with him for the Zemindarry. On the 16th of that Month we again took this Subject into Conſideration, and called the Vakeel before us, who had received an Anſwer from his Maſter to our Firſt Offer; but not being able to aſcertain from him the Fineneſs and Quantity of the Silver of the Gourſhay Rupees, in which Coin the Tribute from the Rajah is to be paid, nor the exact Amount which the late Farmers of the Mint and Cutwally at Benaris, and the Cutwally at Juanpore, had paid annually to the Nabob and his Officers for the Grant of thoſe Articles, we judged it neceſſary to appoint a Perſon to proceed to Benaras, to make ſundry local Inveſtigations into theſe and other Points, to enable us to come to a final Adjuſtment with the Rajah; and we accordingly appointed Mr. Francis Fowke. In the mean Time we agreed that the Raja ſhould continue to pay, at Benaras, the exact Sum, and in the ſame Species of Rupees, as he had paid to the late and preſent Nabobs of Oude; that is to ſay, 23,72,656 12 Gourſhay Rupees, excluſive of the Mint, Cutwally, and other Articles, which the Nabob held in his own Right.

(Signed at the End of the Letter)

"Fort William,
the 11th September 1775.

"Warren Haſtings,
J. Clavering,
Geo. Monſon,
Rich[d] Barwell,
P. Francis."

Read, alſo, from the ſame Book, the following Extract of a Letter from the Governor General and Council to the Court of Directors, dated the 15th January 1776.

"To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the Eaſt Indies.

"Honourable Sirs,

"Par. 14. The Amount of the yearly Tribute of the Raja Cheyt Sing, fixed by his Treaty with the late Nabob of Owde, was Barnaras R[s] 22,48,449, beſides which we find that he paid a farther annual Tax, under the Head of Nuzzerana, of R[s] 90,000, which, conſiſtently with our Reſolution to exact the ſame from him as he paid to the late Vizier, we think the Company had an undoubted Right to, and therefore we reſolved to fix the Sum, adding the Value of a few Articles, which we had left the Settlement of to Mr. Fowke, at Barnaras R[s] 23,40,209, or Sicca R[s] 22,66,180—1191 Dec[r]. We have authorized Mr. Fowke to treat with the Raja for the Payment of this Sum by monthly Inſtalments at Calcutta, and we have Reaſon to hope, from the Conceſſions we have made to him, in the Articles of the Mint, and Cutwally, that he will take

upon himſelf this Remittance on moderate Terms. Mr. Fowke has received from him 7,09,000 R^{s} to the 20th ult. and we have directed him to remit this Amount through the Hands of the Raja, or by Bills obtained from the Merchants of Banaras.

" 15. It appearing that the Coinage ſtruck for many Years paſt in the Mint at Barnaras, had been debaſed in proportion to the annual Rent paid by the Perſon who farmed it to Government, we thought it adviſeable to fix a proper Weight and Standard to be invariably obſerved by the Raja, in all Money which might be coined, on Pain of forfeiting the Mint, and being liable to any Penalty the Board might think fit to impoſe on the firſt Inſtance of any Deviation; and to obviate any Objection on his Part, we have relinquiſhed the Sum which had been uſually paid for that Farm.

" 16. Conceiving alſo, that no Profits could be juſtly yielded by the Cutwallies above the Expence of their Eſtabliſhments, we were unwilling to encourage Oppreſſion, or to furniſh a Pretence for the Raja, or his Miniſters, to introduce or give Sanction to any venal Perquiſites in his Courts. We alſo remitted the Sum commonly paid to the Nabob for a Grant of them.

(Signed at the End of the Letter)

" Warren Haſtings,
J. Clavering,
Geo. Monſon,
Richd Barwell,
P. Francis."

" Fort William,
15th January 1776.

The Counſel for the Defendant informed the Houſe they had now finiſhed all their written Evidence relative to the Preamble of the Charge.

Then the Counſel for the Defendant requeſted Permiſſion to examine the Lord Viſcount Stormont.

Whereupon the Lord Viſcount STORMONT, being ſworn at the Table by the Lord Chancellor, was examined, as follows:

Q. Does your Lordſhip recollect, when you were Ambaſſador in France, in the Year 1777, to have ſeen Mr. Alexander Elliot at Paris, in his Way from England to India?

A. I certainly do.

Q. Whether your Lordſhip, at that Time, made any Communications to Mr. Alexander Elliot reſpecting the Deſigns which the French Court then entertained againſt India, and upon any intended Invaſion of our Territories in India?

A. I conceive the beſt Manner in which I can anſwer the Queſtion will be, to give as ſhort an Account as I can of what paſſed with Mr. Elliot.—I ſaw Mr. Elliot ſeveral Times at the Period alluded to.—I did not then, when he came to Paris, know him perſonally, but I knew perfectly well the high Character he bore, and the Eſtimation in which he was held by the Eaſt India Company.—I knew that he was in the Confidence of the Direction—I endeavoured, in ſome Converſations I had with him, to extract from him, as far as I could, whether he was, or was not, informed of any Alarms conceived by the Eaſt India Company. Upon repeated Converſations with him on that Subject, I found that he was not; and I conceived from thence that the Eaſt India Directors had no Alarms of the Deſigns of France. It was rather a difficult Situation for me to act in, as there was not a Poſſibility, in point of Time, of receiving Orders from my Court. After ſome Heſitation, I told Mr. Elliot, that, having conceived the higheſt Opinion of his Abilities and Secreſy, I would take upon myſelf to do that which I perfectly knew was irregular, but what I thought warranted by the Occaſion—That I did think I had Intelligence to communicate through him, who was going immediately to India, that might be of Importance; but that before I ſaid a Word to him upon the Subject, I muſt annex one Condition: " He muſt engage to communicate the Intelligence which I ſhould mention to him, in the ſame Words, and as nearly as could be, at the ſame Point of Time, to Mr. Haſtings and to Sir John Clavering." To the beſt of my Recollection, I added, " that though I knew their Differences upon many Points, I was perſuaded that both of them were equally anxious, and equally deſirous of obſtructing any Deſigns, open or ſecret, of the Court of France." He readily agreed to that Condition; and I then dictated to him the Intelligence that I thought material, and which he took down in his Pocket Book; and, as he told me, wrote it in the Perſian Language, thinking that the beſt Cypher he could uſe. I never took any Minute of what I dictated to Mr. Elliot; but I have read Mr. Elliot's Letter as reported in a printed Book of the Minutes of the Committee of the Houſe of Commons—I have read it lately. It is impoſſible, at this Diſtance of Time, to be certain they are accurate, as to the Words I uſed, but I am certain they are perfectly accurate as to the Subſtance of the Intelligence, which in every Part, to the beſt of my Memory, agrees exactly with what I ſaid to Mr. Elliot—It will therefore, I believe, be an Aſſiſtance to my Memory, and the correcteſt Manner in which

which I can give my Evidence, if you will permit me to read that Paſſage; for I am certainly the Perſon to whom Mr. Elliot referred; and all I ſhall add to that Account is, that I did recommend Secreſy to him, for obvious Reaſons, ſtating to Mr. Elliot my Opinion, that the Intelligence I gave him was to be relied upon.—I had that Opinion at that Time, and I retain it now."

Then the Book alluded to by the Lord Viſcount Stormont was ſhewn to him; and he read, as follows:

" Honourable Sir, and Gentlemen,

" Having been fortunate enough to obtain ſome Intelligence, before I left Europe, in which the Intereſts of the Eaſt India Company, and the Influence of Great Britain in India, appear to be deeply intereſted, I think it incumbent upon me to take the earlieſt Opportunity of communicating it to your Honourable Board. I am concerned at the ſame Time to be under the Neceſſity of laying the Facts only before you, without having it in my Power to point out the Channels through which the Intelligence was conveyed to me; as my Promiſe was moſt particularly taken before I was myſelf intruſted with it, that I ſhould conceal the Names of the Perſons from whom I received the Information."

Then the Lord Viſcount Stormont proceeded in his Evidence, as follows:

" I muſt ſtop a Moment here to obſerve, that Mr. Elliot has perfectly complied with what was the Condition; namely, That he ſhould not communicate it to the Board; but my Intention was to leave him at Liberty to communicate from whom he had the Intelligence to Mr. Haſtings and Sir John Clavering, and to them alone.—I drew the Line there, that it ſhould be communicated to Mr. Haſtings from the Situation in which he ſtood, for I had no perſonal Acquaintance with him ſince we parted at Weſtminſter School; and as to Sir John Clavering, he was a Perſon with whom I had the moſt intimate Acquaintance.

Then the Lord Viſcount Stormont read a further Extract from the ſame Book, as follows:

" It was not without ſome Difficulty that I obtained Permiſſion to inform the Governor General and Sir John Clavering of this material Circumſtance; and that only upon Condition that they ſhould not truſt it to the Records of the Company, however ſecret they might be."

The Lord Viſcount Stormont ſaid:

" That was the expreſs Condition."

And then the Lord Viſcount Stormont proceeded to read a further Extract, from the ſame Book, as follows:

" The Opinions which thoſe Gentlemen muſt form, as to the Authenticity of the Facts which I now propoſe myſelf the Honour of laying before you, will be a ſufficient Juſtification of me for addreſſing you in this Letter.

" It appears by the Information to which I allude, that Monſieur Sartine, Miniſter de la Marine of France, has concerted with Three or Four of the principal Miniſters of that Country, a Scheme, the Object of which is the total Overthrow of the Engliſh Intereſts in India; that he was ſenſible, the Force which France could herſelf bring againſt our Settlements would prove inſufficient for ſo great an Undertaking, and had therefore thought it neceſſary to the Completion of his Views, to begin by intriguing with the Country Powers, and by endeavouring to ſecure them in the Intereſts of France, in Oppoſition to thoſe of G* Britain—That, for the Purpoſe, it was reſolved to ſend a Perſon to India, with full Powers, in the Character of Agent; and likewiſe to ſend out Perſons who in the Information are called †Des Exerceurs, to diſcipline the Natives of India, and a conſiderable Quantity of Arms and Military Stores. The Perſon who was nominated to this Office was deſcribed to me as One who had before been in India. He was to go to Pondicherry firſt, but to aſſume no public Character, that he might not be ſubjected to the Suſpicions of the Engliſh. He is furniſhed with Letters from the Court of France to all the Country Princes of any Note in India, to be uſed at his own Diſcretion. He likewiſe carries out Preſents of conſiderable Value, which he is to diſtribute as he may judge neceſſary. The Subſtance of his Inſtructions are as follows: To treat with ſuch of the Country Powers as he may have Reaſon to think will moſt readily aſſiſt the Views of France, and to form Alliances with them in the Name of the King of France. To endeavour to perſuade the Country Powers to fall upon the Engliſh Settlements; and he is authorized to promiſe ſuch as will accede to his Propoſal, the warmeſt Support of his Nation, ſecretly, till Hoſtilities are actually commenced, and then openly. He is warned however, in his Inſtructions, that France is not to take the Lead in the War, but is to come in as an Aſſiſtant only. The Perſon from whom I learn theſe Particulars knows for certain that the Agent ſailed from Marſeilles, in the Beginning of April laſt, but was

* Sic in Orig.

† Sic in Orig.

unacquainted with his Name, and unable to inform me for certain what Road he had followed to India, but ſeemed to be of Opinion, that he muſt have paſſed over to Alexandria, in the Intention of embarking at Suez for India."

Then the Lord Viſcount Stormont proceeded in his Evidence, as follows:

"This, my Lords, I think, as far as I can ſpeak upon ſo diſtant a Memory, to be the very Language I held;—but certain I am (which is the only material Part) that it is perfectly correct and true as to the Subſtance of the Information I gave."

The Counſel for the Defendant informed the Houſe, That the Letter from which the above-mentioned Extracts were read, was entered in Book 76 on the Bengal Secret Conſultations.

The above Extracts were accordingly read from Book 76, already delivered in, from a Conſultation of the 2d of February 1778.

"Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Richard Barwell,
Philip Francis,
Edward Wheler, } Eſquires." (a)

The Counſel for the Defendant informed the Houſe, They ſhould next proceed to lay before the Houſe Evidence relative to the Firſt Demand of Five Lacks of Rupees from the Rajah Cheit Sing, in the Year 1778, charged to have been made through Malice, and under Pretence of a War in India, of which the Defendant had not any authentic Accounts.

Read, from Book 13, already delivered in, the following Extract of a Conſultation of the 7th of July 1778, beginning at Page 236 of the ſame Book.

"Fort William, 7th July 1778.

Secret Dept. Thurſday.

"At a Council; Preſent,
The Honourable Warren Haſtings, Governor General;
Richard Barwell,
Philip Francis,
Edward Wheler, } Eſquires.

"Honourable Sir, and Sirs,

Mr. Baldwin at Cairo. War between France and England.

"In my Quality of Agent to the Honourable the Eaſt India Company, it may ſeem incumbent upon me to communicate to their Preſidencies in India any Intelligence which may affect their Intereſt or Safety; but I am in no Doubt, in the preſent Criſis of public Affairs, of its being my Duty as an Engliſhman; I therefore have the Honor to lay before your Honble. Board, a Sequel of the Advices arrived ſince the Departure of Captain Thirtleton on the 7th of April from Suez.

"On the 27th following I received an Expreſs from my Agent at Alexandria, dated Alexandria the 25th of April 1778, containing the following Advice, viz.

'Laſt Night came to an Anchor in this Port, a Venetian Ship under the Command of Captain 'Tanabochia, being only Nine Days upon his Paſſage from Coron, in Mocca, who brings 'Advice, That before his Departure from Coron a French Tartan came in there with public 'Diſpatches for the French Conſul, intimating the Declaration of War with England, and that 'an Engliſh Squadron had fell in with and taken Twenty-eight Sail of French Ships laden with 'Warlike Stores for America.' The French Merchants have received the ſame Intelligence at the ſame Time, and I thought it too conſonant to the Situation of Public Affairs not to take proper Notice of it. Captain Pruen was that Day going to Suez in order to depart, and I thought it right to preſent him with the following Letter; viz.

"To Lieutenant Aſhuread Pruen.

"Sir,

"I have juſt received Intelligence from Alexandria, dated the 25th inſtant, to the following Purport: (Here was inſerted the Copy of the before mentioned Paragraph.)

'Now, Sir, as this Intelligence ſeems more than probable, and a Confirmation or Contradiction 'may arrive in the Courſe of a Week, you may think it your Duty to retard your propoſed Depar-'ture, in order to convey Information of ſuch Importance to the Company's Affairs into India, it is 'mine to offer it to your Conſideration.

(a) Vide Appendix, N° CCXVI.

'All the lateſt Advices from Europe gave us the beſt founded Expectation of ſuch an Event; 'and the unuſual Delay of ſome expected Merchant Ships from Marſeilles, give us room to con-'jecture that an Embargo may have been laid upon all Shipping for the Purpoſes of the War. In 'order to get the beſt Eclairciſements poſſible of the Intelligence brought by the Venetian Captain, 'and to gain Time, if his Report ſhould be true, I ſhall immediately detach a Meſſage to 'Alexandria, with Directions to my Agents there, to entreat the Venetian Captain to make a 'regular Depoſition of the Advice he brings, to affirm it in the Preſence of Witneſſes, and to ſend 'it to me immediately. The Meſſenger will be back in Seven Days.

'I dare not venture my Opinion, whether the Service may be an acceptable one or not to the 'Honble. Company, ſince I met with ſuch a Diſappointment in the Event of my beſt meant 'Exertions in their Service laſt Year; but at all Events the Public will receive a Benefit from it, 'and Public Good is the Object which employs me in the preſent Addreſs.

'I am, &c.

'Cairo, 27th April 1778.

George Baldwin.'

" Mr. Pruen anſwered me, that he would poſtpone his Departure from Suez until the Return of the Expreſs from Alexandria, and I diſpatched the Meſſenger the ſame Moment. In Five Days more a more important Meſſenger arrived to the French. On the Second of May, in the Evening, being in Converſation at a French Houſe where moſt of the French Gentlemen aſſemble, Letters were brought in expreſs from Alexandria, and diſtributed ſeverally as they were addreſſed. Monſ. Noel Olive, a young Gentleman, was the firſt that had peruſed the Advices, and upon being aſked impatiently by the Count de Stanlefort, next to whom I ſat, what was the News, Monſ. Olive made Anſwer, greatly agitated in his Spirits, that the Tartan was arrived from Marſeilles, bringing Advice that the War was declared at Paris on the 30th of March againſt England. The Count turned to me, ſaying, he was extremely ſorry, and we mutually exchanged our Wiſhes that it might not be of long Duration. I mention this to prove that I could not have been miſtaken in my Comprehenſion of Monſ. Olive's Intelligence; it merited, notwithſtanding, ſome cloſer Enquiry, and I have diſcovered, from unqueſtionable Authority, that the State of Things are really as follows; viz. 'The Court of France, predetermined to break with England, or ſeeing a War 'inevitable, iſſued Orders to the Chamber of Commerce at Marſeilles, to diſpatch Tartans to all 'the Ports in the Mediterranean, directing the Conſuls to put all their Subjects upon their Guard. 'That on the 26th of March the Tartar ſailed from Marſeilles with theſe Orders, and her Progreſs 'has ſince been to Algiers, Tunis, Tripoly, and Malta, and laſtly at Alexandria. The Captain 'of the Tartan reports, That being at Malta on the 16th of April, a Courier arrived there with 'Advice of the Declaration of War at Paris on the 30th of March. The French Merchants of 'Cairo want to conceal this Advice, but the many concurring Circumſtances make it too ſtrong a 'Preſumption not to give it the moſt implicit Credit.' The private Advices obtained by indirect Means from the French Merchants themſelves, confirm all theſe Reports; and ſay more, that the Government at Marſeilles had ſequeſtered Two Engliſh Veſſels then in that Port, and had made the Crews Priſoners. But as ſtrong a Confirmation as any is, in a private Letter from the moſt capital Houſe of Marſeilles to a French Merchant here; it is dated the 25th of March. I read it; it ſays thus, 'By the Courier juſt come in from Paris we receive Aſſurances that Lord Stormont 'has been recalled, and that England declared War againſt France on the 18th current, in Con-'ſequence of which Advice the Mahon Packet Boat made Sail immediately for Mahon.' This I atteſt to upon Oath, and that every Circumſtance herein recited is the Report of the French themſelves; the Arrival of the Tartan is manifeſt to all the World. To add however Weight to theſe Aſſertions, and to give ſuch a Degree of Authenticity to an Intelligence which may ſo deeply affect the Councils of all India, as ſeems proportioned to, or rather neceſſary to its Importance, I have entreated the Engliſh Gentlemen, fortunately at preſent in Cairo, to ſubſcribe to the following Opinion; viz.

'That many of us were preſent on the 2d inſtant May, at the Converſation when the French 'Advices arrived; that we have ſeverally heard the above Reports confirmed from different People; 'that it is the firm Opinion of every one of us, that the War is unqueſtionably declared, and that 'it is for the Intereſt of the Nation that the Intelligence ſhould be conveyed to India as ex-'peditiouſly as poſſible.'

" Cairo, 4th May 1778.

Signed, John Shaw, who can affirm to this by Letters from Alexandria and Leghorn.
Jas Home,
M. H. Graves,
Willm Browne,
Wm Barrington,
Jas Sutherland,
James Amos,
George Skipp,
Richd Hughes.

" With

" With the above Authority I truſt, Honble. Sir, and Sirs, you will juſtify my Zeal in haſtening away this Diſpatch. I have only another Obſervation to make which leads to the general Concluſion, that the Merchant Ships expected from Marſeilles have ſuſpended their Voyages, and confirm my Conjectures of the Embargo laid upon the Shipping there. This conſidered with the other weighty Circumſtances have determined me not to wait the Return of the Expreſs from Alexandria: Five Ships are at Suez by whom any momentous Intelligence can be conveyed if
* Sic in Orig. I ſhould receive Orders, or the * Enigency ſhould require it. I entreat the Honor of your Protection, and ſubſcribe moſt reſpectfully, &c.

" Cairo, 4th May 1778. Geo. Baldwin.

" Poſtſcript.

" While the above Diſpatches were cloſing, came in the Return of my Expreſs from Alexandria, bringing with him Letters arrived by a French Veſſel from Leghorn, dated the 9th April.

" The Venetian Captain has wrote me a Letter, in which he confirms Word for Word the Intelligence handed me by my Agent, as inſerted in the Firſt Part of this Diſpatch. My Agent further writes me, ' That upon the Arrival of the Tartan at Alexandria, the French ' Conſul aſſembled all the French Subjects there, and communicated to them the Orders of ' his Court, which conſiſted in informing them that they were to guard againſt the Engliſh ' Ships at Sea, who they were thenceforward to conſider as their open Enemies.' (*a*)

(Signed at the End of the Poſtſcript)
" Geo. Baldwin.

(And at the End of the Conſultation)
" Warren Haſtings,
Rich[d] Barwell,
P. Francis,
Edw[d] Wheler."

To prove the Tranſmiſs of the Intelligence of War from the Two other Preſidencies of Madras and Bombay,

Read, a further Extract from the ſame Conſultation, beginning at Page 243 of the ſame Book.

" Fort St. George.

" Honble. Sir, and Sirs,

" The Company's Ship Morning Star is juſt arrived from Bombay with a Letter from the Preſident and Council there, encloſing Accounts from Mr. Baldwin at Cairo, by which we are adviſed that War was actually declared by Great Britain againſt France on the 18th March laſt, and by France againſt Great Britain on the 30th of that Month. The Gentlemen at Bombay inform us that they have ſent the ſame Advices to you by the Morning Star, we ſhall not therefore detain the Veſſel to ſend you a Copy of what we have received, but will tranſmit Copies to you by the Oſterly and Groſvenor, which will ſail for Bengal To-morrow. (*b*)

(Signed at the End of the Letter)

" Fort St. George,
the 25th June 1778.

Tho[s] Rumbold, &c. Council."

Read, alſo, further Extract from ſame Conſultation, beginning at Page 235 of the ſame Book.

Bombay.

" Gentlemen,

" We diſpatch the Company's Veſſel the Morning Star expreſs to convey to you a Packet this Day received from Mr. Baldwin at Grand Cairo; and for greater Security we alſo tranſmit Copy of his Letter to us, received at the ſame Time, containing Intelligence next to a Certainty of War being declared between France and Great Britain.

" By this Veſſel we have ſent Advices of the ſame Import to the Preſidency of Madras, and Sir Edward Vernon. (*c*)

(Signed at the End of the Letter)

" Bombay Caſtle,
12th June 1778.

W[m] Hornby,
&c. Council."

(*a*) Vide Appendix, N° CCXVII. (*b*) Vide Appendix, ibid. (*c*) Vide Appendix, ibid.

To

To prove the Meaſures unanimouſly reſolved on by the Board in conſequence, and that the ſame were general Meaſures of Proviſion againſt Hoſtilities,

Read, a further Extract from the ſame Conſultation, beginning at Page 245 of the ſame Book.

" As the Truth of the Intelligence contained in the above Letter from Mr. Baldwin at Suez is not to be doubted, and as it muſt be ſoon followed with an authentic Confirmation of the Fact, the Board judge it neceſſary to take their Meaſures immediately upon it: They are of Opinion, that the moſt effectual Step for guarding againſt any hoſtile Deſigns of the French in India, would be to take immediate Poſſeſſion of Pondicherry; a Step ſo obvious, that they entertain very ſanguine Hopes; that the Preſident and Council at Fort S[t] George will have already reſolved to carry it into Execution; but, leſt they ſhould not, it is unanimouſly agreed, that it be ſtrongly recommended to them to order a proper Force to march directly towards Pondicherry, and to prepare to take Poſſeſſion of that Place on the Inſtant that they ſhall receive a Confirmation of the News of a Rupture between France and England. To prepare to attack Pondicherry.

" The Governor General informs the Board, that he has been adviſed, by ſeveral Letters received from Mr. Rumbold, that Hyder Ally Cawn had very urgently ſolicited an Alliance with the Company by repeated Letters, and a Perſon of Truſt expreſsly deputed to him for that Purpoſe. As it is a Point of very great Importance to take the moſt early Means for ſecuring the Friendſhip of Hyder Ally, and to prevent the French from engaging him in their Intereſts, the Governor General ſubmits to the Board the Propriety of recommending this Meaſure in very earneſt Terms to the Preſident and Council of Fort S[t] George. A Treaty already ſubſiſts betwixt the Company and Hyder Ally, to which he thinks that the Preſident and Council of Fort S[t] George may be inſtructed to join ſuch additional Conditions as will ſerve to cement a good Underſtanding with him, and to inſure his Aſſiſtance; but carefully to avoid any Engagements which might draw their Forces from the immediate Protection of the Company's Poſſeſſions, and of the Payen-gaut. To form an Alliance with Hyder Ally.

" Agreed to the Meaſure above recommended by the Governor General; and

" Reſolved, that the following Letter be immediately written and diſpatched to Fort S[t]. George.

" Gentlemen, To Fort St. George.

" We have juſt received your Letter of the 25th June, by the Morning Star.

" We have alſo received, by the ſame Conveyance, Letters from the Preſident and Council at Bombay, and from Mr. George Baldwin at Grand Cairo, informing us that a War has been declared between France and England.

" As the Intelligence communicated by Mr. Baldwin is too well authenticated to leave any Doubt of the Truth of it, we expect that it will ſoon be confirmed by Authority; in the mean Time, however, it is our Duty to be active in preparing Meaſures to guard againſt the Deſigns of the French in India: The firſt and moſt effectual Means of preventing the ill Conſequences of them will certainly be to take immediate Poſſeſſion of Pondicherry. We therefore earneſtly recommend it to you to march a proper Force for that Service directly towards Pondicherry, and hold them in Readineſs to attack that Place the Inſtant the News of the War ſhall be confirmed.

" The utmoſt Secrecy ſhould be obſerved on this Occaſion; and we have no Doubt that you will take every Precaution to maintain it.

" We underſtand that the Nabob Hyder Ally has urgently ſolicited an Alliance with the Company by repeated Applications to your Preſident. As we deem it a Point of very great Importance to take the moſt early Means to ſecure the Friendſhip of this Chief, and to prevent the French from engaging him in their Intereſts, we ſtrongly recommend it to you, to negociate and conclude ſuch Conditions with Hyder Ally, in Addition to the preſent Treaty ſubſiſting between you, as may ſerve to cement a good Underſtanding with him, and to inſure his Aſſiſtance in caſe of Neceſſity, carefully avoiding any Engagements that may draw the Company's Forces from the immediate Protection of their own Poſſeſſions, and of the Payen-gaut. (*a*)

" Fort William, the 7th July 1778." " We are, &c.

(*a*) Vide Appendix, N° CCXVII.

Read,

Read, from Book 13, already delivered in, the following Conſultation of the 9th July 1778, beginning at Page 1 of the ſame Book.

" Fort William, the 9th July 1778.

Secret Dep. Thurſday.

At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell, Philip Francis, Edward Wheler, } Eſquires.

" Read the Proceedings of the 7th inſtant.

" The Governor General having ſent the following Note to the Secretary on the Evening of the 7th inſtant, it was immediately ſent round to the other Members of the Board, and the Meeting of the Council poſtponed accordingly till this Morning:

" Sir,

The Gov. Gen. to the Secretary.

" Fearing that the Shortneſs of Time will not admit of my being prepared for the propoſed Meeting of the Council To-morrow, I deſire that you will inform the Gentlemen of the Board, that it is my Wiſh to poſtpone it, with their Permiſſion, to Thurſday.

" I am, &c.

" J. P. Auriol Eſq." (Signed) Warren Haſtings."

" The Governor General delivers in the following Minute:

Governor General's Minute.

" I ſtate the War with France as a Fact of undoubted Certainty. It is the Part of this Government to conſider in what Manner it is likely to affect the Britiſh Poſſeſſions in India, and to provide accordingly for their Security. This muſt compriſe and limit all our Operations. In the View of the opening Scene, the relative Conditions of the Parties engaged in it will merit our firſt Attention, and cannot fail to engage it by the ſtriking Contraſt which appears between them; and I mention it becauſe I think it an eſſential Point in the Conſideration of our firſt, and perhaps our future Meaſures.

" Great as the Power is which the Britiſh Nation has acquired in India, compared with that of its Rival, its general Line of Action is and muſt be purely defenſive. It can gain, the French loſe nothing. Even the Capture of Pondicherry, and of the other Poſſeſſions of the French, will yield no poſitive Advantage to the Engliſh, although it will deprive the French of their Inſtruments of Attack, and thereby affect our own Safety.

" From this Point, therefore, all our Concluſions muſt originate, and all our Meaſures be ſo laid as to obviate or to oppoſe the probable Deſigns of our Enemies. Their firſt Attempts will be againſt Bombay or Fort St. George. Bengal will be their laſt, at leaſt their diſtant Object.

" The Preſidency of Fort St. George poſſeſſes in itſelf the complete Means of Defence. We can add nothing to them, but in the Effects of our political Arrangements. We have always yielded it a large Supply of Treaſure. It requires no other preſent Aid.

" Bombay requires every Thing. Weak in itſelf, and entangled rather than ſtrengthened by its diſſipated Poſſeſſions on the Continent, it can only defend itſelf againſt a direct Invaſion; and to that it is perhaps equal, if it has to contend with the French alone; but this is unlikely. The laſt Advices from Poona contain ſuch Evidence as the Event itſelf muſt ſoon refute or realize, of an Engagement actually made by the French Miniſter there to bring a large Military Force to Poona, profeſſedly deſigned to act with that Government againſt Ragoba, who at that Time reſided at Bombay, under the Engliſh Protection.

" In Effect, this is the obvious Policy which the French ought to adopt, if they ſeek to regain their Influence in India, and it is no longer to be doubted that they have adopted it. They have beſides an ancient Claim to the Alliance of Nizam Ally, which is inſured by their incidental Union in a common Cauſe, the Defence of the ruling Adminiſtration at Poona, of which his Letters to Mr. Rumbold and the Nabob of Arcot afford an undoubted Proof.

" It is then certain that the French mean to eſtabliſh a firm Intereſt at Poona. It is probable that they will effect it. The Conſequences may be the Attack of Bombay, or, without it, the Re-union of the vaſt Powers of the Maratta State under its preſent Government, ſtrengthened by ſo formidable an Alliance; and a predatory War brought by their united Force into the Dominions of our Ally the Nabob of Owd, or even into the Heart of our own.

" To guard againſt ſuch Conſequences ought, in my Opinion, to be our firſt Object, both for the immediate Defence of Bombay, and the further Security of Bengal. We cannot ſend ſuccours directly to Bombay. If Bombay ſhould be attacked by the French unſupported by a Maratta Alliance, I have already ſaid that I hope its preſent Force is equal to its Defence: But if it ſhould be attacked, or in certain Danger of being attacked, by the French and Marattas in Alliance, an offenſive War muſt be undertaken in Defence of Bombay.

" The Detachment under Colonel Leſlie may be employed in this Service. It can be ſpared without Danger to Bengal, which is ſecure from a preſent Invaſion, and can ſoon be replaced. But it conſiſts of a Force too inconſiderable to engage ſingly in ſuch a Conteſt. Unleſs it can be aſſiſted by an Ally equal in Power, or ſo nearly equal to that of the Peſhwa, as to give our united Strength a Degree of Superiority over the Combination to which it would be oppoſed, the Undertaking would be too hazardous. Modajee Booſla, the Chief of Berar, anſwers to this Deſcription. His Family has always borne a conſiderable Rank among the Powers of India. His Father, Ragojee, ſubjected

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the Provinces of Bengal to the Chout, under the Government of the moſt able Chief that ever ruled them. His elder Brother, Jannoagee, attacked and burnt the City of Poona at a Time when the Power of the Peſhwas far exceeded its preſent State, and the Maratta Conſtitution reſpecting Berar was undivided. His Dominions extend from the Sea Coaſt of Oriſſa, and from the Weſtern Borders of Bengal, to the Neighbourhood of Aurengabad. His Revenues, though not proportionate to their Magnitude, is * conſiderable, and his ſtanding Forces are numerous, excluſive of the Militia, which, in all the Maratta States, is always ready to join the regular Armies when they take the Field. While the Conteſt prevailed between Ragonaut Row and the Miniſterial Party, Moodajee ſided with the former, his Brother with the latter. This Conduct drew on him the Reſentment of the Miniſters, who, as ſoon as they were freed, by the Interpoſition of this Government, from the Dread of their great Competitor, encouraged and ſupported the Nabob Nizam Ally Cawn, in an Invaſion of his Country, which at that Time had not yet recovered from the Diſtractions occaſioned by the Contention between the Two Brothers. On this Occaſion he was glad to purchaſe a Peace of Nizam Ally Cawn, with the Loſs of ſome Forts of Conſequence, the Remembrance of which he ſtill retains, with a Determination to avail himſelf of the Firſt Opportunity to reclaim them.

* Sic in Orig.

" As the Provinces which are now united under the Government of Berar are a conſtitutional Part of the Maratta Empire, a natural Enmity muſt ever ſubſiſt between them who poſſeſs the Sovereign Authority, and the Rulers of Berar; the former looking to the Recovery of their unalienable Rights, the latter jealous of their Independency. Thus Moodajee may be conſidered as the certain Enemy of the Peſhwa, into whatever Hands the fluctuating State of the Parties at Poona may throw his Adminiſtration. But a late Event has given Modajee Pretenſions to a Rank even more elevated than that of the Peſhwa. I need not inform the Board, that the Power which the Peſhwa poſſeſſed for about Forty Years paſt, is an Uſurpation on the Sovereign Authority veſted by the Conſtitution in the Raja. Raja Sâboo, the laſt who retained it, having no Children, adopted Moodajee Booſla, and, as I am informed, deſigned him for his Succeſſor. But Ballajee, the Peſhwa or Prime Miniſter, had the Art to deprive Moodajee of the Benefit of this Intention, and to transfer the Inheritance to Ram Raja, who was alſo an adopted Son of Rajo Sâboo, and an Infant at his Death. Ragoojee, the Father of Modajee, inſtantly marched to Poona with a formidable Army, and by a Negotiation of a Day, obtained, for the Surrender of his Son's actual Pretenſions, a large Acceſſion of Territory and other Advantages, ſtill reſerving a future Claim to the Rajaſhip, and refuſing to commit himſelf by any formal Deed in an Acknowledgement of the Title of Ram Raja. From that Time the Grandeur of his Family may be dated. Ragojee continued to authenticate all his public Acts by the Name of Sâboo Raja; and on the Seals which have been affixed to all the Letters which I have received from Shabajee Boſla, and even ſince his Death from his Brother Moodajee, they are ſtiled the Vaſſals of Sahoo Raja. I know not with Certainty what are Moodajee's preſent Views. Ram Raja died in December laſt, and the Succeſſion is either ſtill vacant or but lately filled. Moodajee's Rights are ſtill in force, and unqueſtionably ſuperior to any other.

" I muſt ſuſpend the Thread of this Narrative to relate a Tranſaction which brings it nearer to the Concerns of this Government. An Alliance with the Booſla Family has been long its Object, and conſiderable Advances were made to the Attainment of it in the Adminiſtration of Lord Clive. In the latter End of the Year 1773, Shabajee Booſla ſent a Vakeel to me with Letters containing general Profeſſions of Attachment, but expreſſed with ſuch Warmth as induced me to aim at a formal Connection with him. Finding the Vakeel an intelligent Man, I ſent him back with a Plan for that Purpoſe. Unfortunately Shabajee fell by the Hands of his Brother. But Moodajee himſelf ſoon after adopting his Brother's Line, again deputed the ſame Vakeel to Calcutta; but many Cauſes, which it is unneceſſary to enumerate, prevented me from improving the Diſpoſition of this Chief. A conſtant Intercourſe of Letters, and in ſome Degree confidential, has been kept up between us. On a falſe Rumour of the Death of Ram Raja, foreſeeing the Uſe which might be made of this new Diverſion in the Maratta Policy, I employed the Agency of the Vakeel to excite the Ambition of Moodajee to aſpire to the Sovereign Authority, which ſuch an Event, then probable at leaſt from the infirm ſtate of the Raja, and the Diſtractions at Poona, ſeemed to preſent to him; and I intimated the ſame Advice in a Letter which I wrote at the ſame Time to Dewargur Pundit, the Miniſter of Moodajee Booſla, and the Man whoſe Counſels have long guided the Affairs of that Government. While theſe Letters were on their Way, the Raja died: No Anſwers were given, for the Purport required none, but every Letter ſince received from Moodajee and his Dewan has repeatedly and urgently preſſed the Diſmiſſion of the Vacqueel, for the Purpoſe, as expreſſed, of communicating with him on Affairs of the greateſt Importance. The Vackeel is at this Time with Colonel Leſlie.

" From theſe Facts it will appear, that Moodajee Booſla is by Intereſt and Inclination likely to join in an Alliance with this Government, and that Two Advantages may be offered to him as the Inducements to it. The Firſt is the Support of his Pretenſions to the Sovereign Power; the Second, the Recovery of the Captures made on his Dominions by Nizam Ally. On our Parts we ſhall poſſeſs a powerful Barrier on our Frontier; an Alliance which may counterbalance, and if properly managed, may totally overthrow the preſent Power of the Maratta State, and give us a laſting Aſcendant in its Operations, and for ever diſſipate all the Deſigns which the French have at this Time ſo wiſely, and hitherto ſucceſsfully, concerted for their Aggrandizement and our Deſtruction.

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A more fortunate Concurrence of Events could ſcarcely have been conceived, than thoſe which appear of themſelves to draw the Two States of Berar and Bengal into a decided and laſting Union by the powerful Bonds of common Intereſt and common Danger. The Poona Government is the natural Enemy of Moodajee. It is ours by their Connection with our natural and declared Enemy, the French. Nizam Ally is the declared Enemy of both, and the Contiguity of our reſpective Territories, in the wildeſt and leaſt valuable Parts of both, and of Courſe the leaſt ſubject to Competition and Incroachment, renders them important and eſſential to the Strength of both.

" On theſe Grounds I recommend that a Company's civil Servant be deputed to Moodajee Booſla, with full Power to form a Treaty of Alliance between that Chief and the Company, on the Terms herein above ſtated. Theſe may be hereafter detailed in his Inſtructions.

" The Governor General.—It was my Intention, had the Time permitted it, to have extended the above Minute into other Details, immediately required for the internal Defence of theſe Provinces. I can now only ſtate thoſe which are moſt urgent in ſhort Propoſitions. The Reaſons, if neceſſary, may be given ſeparately.

" 1ſt. I propoſe that three additional Battalions of Sepoys be immediately formed upon the Plan recommended by General Stibbert.

" 2dly. That Rajah Cheit Sing be required in Form to contribute his Share of the Burthen of the preſent War, by conſenting to the Eſtabliſhment of Three regular Battalions of Sepoys, to be raiſed and maintained at his Expence.

" 3dly. That the Militia Corps be re-eſtabliſhed for the Defence of the City of Calcutta; and for this Purpoſe, if it ſhall be found neceſſary hereafter, I would further recommend, that the Commiſſioner of Law Suits, with the Aſſiſtance of the Company's Attorney and Standing Council, be inſtructed to prepare a Bill for its legal Incorporation.

" 4thly. That the Maſter Attendant be directed to conſult ſome of the moſt able Seamen of this Port, upon the Means of forming ſuch an Addition to our Marine Eſtabliſhment, as may be moſt effectual for the Communication of immediate Intelligence of the Approach of an Enemy's Fleet, or ſingle Ships of War, and for cutting away the Buoys, and uſing ſuch other Precautions as may be neceſſary for guarding this Port and its Commerce againſt the Effects of a Surprize.

" 5thly. That the Opinion of the Chief Engineer be alſo taken with reſpect to the other Means which may be neceſſary to prevent or impede the Progreſs of an Enemy by the Entrance of the River.

" 6thly. That the Commander in Chief be requeſted to furniſh the Board with ſuch a general Plan of Defence as he ſhall judge neceſſary, in Addition to the preſent Diſpoſition of our Army, and in the Suppoſition that the Detachment now employed under Colonel Leſlie may not return for a Length of Time into the Provinces, and to attend the Board with it when prepared.

" 7thly. The Propoſition with which I ſhall now conclude, I offer with much Diffidence and Heſitation. It has been the conſtant Subject of my Thoughts ſince our laſt Meeting, and, though I now incline to recommend it, I ſee the Objections to it in ſo ſtrong a Light, as added perhaps to thoſe which may be ſuggeſted by other Members of the Board, may induce me to change it; but I will briefly ſtate it. The War having been notified to us, though not by Authority, yet confirmed by Evidence of ſuch Strength as to amount to a Degree of Certainty next to abſolute, ſhall we proceed upon it as upon the Grounds of a War declared and notified in all its Forms? Or ſhall we wait the Confirmation of it, which it is probable we may not receive for this Month or Six Weeks yet to come? The Conſequence of our Determination on this Queſtion, if in the Affirmative, will be inſtantly to detach a Military Force to guard the Approaches of Chandernagore, to demand the Surrender of that Town, and to appoint Commiſſaries to take Poſſeſſion of the public Stores, Shipping, and private Effects of the Inhabitants. This combined Queſtion I propoſe for the Determination of the Board.

" The Firſt Queſtion being conſidered, is agreed to.

Three additional Battalions.

" Ordered, That the Secretary to the Military Department do prepare and lay before the Board an Eſtimate of the Expence of the above Augmentation, and of that which will ariſe from the Increaſe of Men to the preſent Eſtabliſhment lately ordered by the Military Department.

" The Second Queſtion conſidered.

Rajah Cheit Sing to raiſe Three Battalions.

" Mr. Francis.—On the Suppoſition that the Detachment now employed under Colonel Leſlie will not return for a Length of Time into the Provinces, I acquieſce in the Propoſal relative to Raja Cheit Sing; but I think he ſhould be informed that this additional Charge will not be impoſed on him beyond the Continuance of the preſent War.

" The Governor General.—The Qualification propoſed by Mr. Francis is conſonant to my Intention in the Queſtion, and is implied in it. I ſhould have no Objection to it's being expreſſed in an additional Clauſe.

" That our Reſolution upon this Subject may be unanimous, I agreed to add to the Queſtion the following Words, " and to be diſbanded at the End of the War;" but perceiving that the Difference in our Opinion upon the Subject ariſes not from a Diſagreement reſpecting the Requiſition ſimply conſidered by itſelf, but from a different Underſtanding of the Right of the Company to exact, under any Preſſure of Affairs, more than the Sum ſtipulated by the Sunnud

granted

granted to Cheyt Sing, and the Cubbooleat given by him in return, I muſt adhere to the Queſtion as it ſtands, wiſhing to avoid the Queſtion of Right. If, however, we cannot agree upon the Point, ſtill I would wiſh to have the Requiſition made in the Words of the Queſtion, and leave the Deciſion of future Right to our Superiors.

" Mr. Wheler.—Wiſhing to avoid the Queſtion of Right, I acquieſce in the Motion; but I think it ſhould be qualified in the Manner propoſed by Mr. Francis.

" Mr. Barwell.—An Acquiſition of Revenue and Military Force I ſuppoſe to have been annexed to the Grant of the Zemindarry of Benares and Gauzipore to the Company. Any military Eſtabliſhment, independent of the Engliſh Adminiſtration, in the Heart of the Company's Dominions, may in the Time of Danger be turned againſt thoſe Intereſts which, under another Policy, it would protect. I have long regarded the Military Eſtabliſhment of Benares under the Rajah's native Officers, and not ſubject to the Diſcipline, Command, and Regulation of our own Battalions, as a Defect; I therefore moſt heartily agree to the preſent Propoſal, for Three diſciplined Battalions to be kept up, and paid by the Rajah, and ſincerely hope the Company will direct, that the whole Force of Benares and Gauzipoor, under the Zemindar, be placed upon the ſame Footing as the regular Military Force of the Preſidency.

" The Governor General.—I agree to the Queſtion in the original Form of it, deeming it a Right inherent in every Government to impoſe ſuch Aſſeſſments as it judges expedient for the common Service and Protection of all its Subjects, and we are not precluded from it by any Agreement ſubſiſting between the Raja and this Government.

" Reſolved, That Rajah Cheit Sing be required in Form to contribute his Share of the Burthen of the preſent War, by the Eſtabliſhment of Three regular Battalions of Sepoys, to be raiſed and maintained at his Expence, and the Governor General is to write to him to that Effect.

" The Board agree to the Third Queſtion.

Militia eſtabliſhed.

" To the Fourth Agreed.

" Agreed to the Fifth. } Orders are accordingly iſſued by the Secretary.

Marine additional.

Engineer to be conſulted.

" To the Sixth agreed. The following Letter is accordingly written to the Commander in Chief.

" To Brigadier General Stibbert, Commander in Chief, &c. &c. &c.

" Sir,

To the Commander in Chief.

" Having received Intelligence, which we deem certain, that War has been declared between France and England, we think it proper to take the earlieſt Means to provide for the Safety and Defence of theſe Provinces. We have already agreed to raiſe and form Three additional Battalions of Sepoys upon the Plan recommended by you. We propoſe that Raja Cheit Sing ſhould be required to entertain Three regular Battalions at his Expence, for his Part of the Burthen of the War, and we ſhall immediately give Orders for re-eſtabliſhing the Militia Corps for the Defence of the City of Calcutta.

" We have thought it neceſſary to acquaint you with the Preliminaries, and we now requeſt that you will furniſh us with ſuch a general Plan of Defence as you ſhall judge adviſeable, in Addition to the preſent Diſpoſition of our Army, and on the Suppoſition that the Detachment now employed under Colonel Leſlie will not return for a Length of Time into the Provinces. When the ſame ſhall be compleated, you will be pleaſed to notify it to us, that we may appoint a Day for your Attendance with it in Council.

" Fort William, 9th July 1778. We are, &c.

" The Seventh Queſtion is reſolved in the Affirmative: And

Chandernagore to be ſeized.

" Agreed, That Lieutenant Colonel Dow the Commanding Officer at Burruchpoor, be immediately ordered to ſtation Guards or Detachments of Sepoys on the Road leading to Chandernagore, with Orders to prevent the Tranſportation of any Goods or Effects from thence, and that he demand of Mr. Chevalier, the Commandant of Chandernagore, the Surrender of the Town, Shipping, Stores, and all other Effects, both public and private, into his Hands.

" Reſolved, That the Quarter Maſter General be directed to furniſh Lieutenant Colonel Dow immediately ſuch Boats as he may require by Indent for this Service.

Mr. Leonard Collings to be appointed Commiſſary.

Reſolved alſo, That Mr. Leonard Collings be appointed Commiſſary to receive all ſuch Goods and Effects belonging to the French at Chandernagore as Lieutenant Colonel Dow ſhall conſign to his Charge, and that he be directed to form an Inventory of the Whole, as ſoon as poſſible, and tranſmit a Copy thereof to the Board.

" Agreed, That Mr. Collings be permitted to take with him any Writer in the Company's Service, who may, at this Time, be unemployed, if he ſhould require a Perſon to aſſiſt him.

" Reſolved, That the following Inſtructions be immediately iſſued to Lieutenant Colonel Dow.

" To Lieutenant Colonel Alexander Dow, commanding the Troops at Burruckpore.

" Sir,

Inſtructions to Lieutenant Colonel Dow for inveſting Chandernagore.

" In conſequence of a Declaration of War, which has been made between France and England, in London on the 18th March, and in Paris on the 30th March 1777, We do hereby order and command you immediately to ſtation Guards or Detachments of Sepoys on the Roads leading to Chandernagore, with Orders to prevent the Tranſportation of any Goods or Effects from thence, and to demand from Mr. Chevalier, the Commandant at Chandernagore, the Surrender of the Town, Shipping, Stores, and all other Effects, both public and private, into your Hands. You will permit the Commandant, and ſuch of the Inhabitants as will paſs their Parole, to remain in quiet Poſſeſſion of their Houſes, and make Priſoners of them who ſhall refuſe or evade it.

" In caſe of a Refuſal to ſurrender the Town, Shipping, and Effects, as demanded, you will take Poſſeſſion immediately by Force.

" You will be furniſhed with an Order to the Quarter Maſter General to ſupply you immediately with ſuch Boats as you may require from him by Indent, for croſſing the Troops over the River, for taking Poſſeſſion of the Ships, and ſuch other Services as may demand the Employment of Boats for the Execution of theſe Orders.

" As it is not likely, from the defenceleſs State of Chandernagore, that any Oppoſition ſhould be attempted, we recommend it to you to ſhow all poſſible Lenity and Tenderneſs to the Inhabitants in the Execution of theſe Orders, which however muſt be executed without any Delay or Reſervation for further Inſtructions.

" We have appointed Mr. Leonard Collings, a Commiſſary, to take Charge of the Stores and Effects which may be delivered up to you. We therefore deſire that you will cauſe them to be made over to him.

" Fort William, 9th July 1778. We are, &c.

" Agreed, That Captain Robinſon of the Star Armed Veſſel do immediately proceed down the River, to ſeize all the French Veſſels and Pilots which he may be able to find, and bring them to Calcutta.

" The following Letter is therefore written to him by the Secretary.

" To Captain Robinſon, Commander of the Morning Star.

Order to Captain Robinſon to ſeize the French Pilots.

" Sir,

" You are hereby directed to proceed down the River with this Tide, to ſeize all the French Pilot Veſſels and Pilots which you may be able to find, and bring them up to Calcutta. A Pilot will be immediately ſent on Board you by the Maſter Attendant, who will furniſh you with Orders to him, to point out to you ſuch Pilot Veſſels as may be in the Service of the French Nation.

" In the Execution of this Service the utmoſt Secrecy is to be obſerved.

" Council Chamber, 9th July 1778. I am, &c.

" Ordered, That the Maſter Attendant do immediately ſend a Pilot on board the Morning Star; that he deliver ſealed Inſtructions into the Hands of Captain Robinſon, to convey the Ship down the River, and to point out all the Pilot Sloops or Veſſels belonging to the French, that he may ſee or be able to get Intelligence of in the River.

" Reſolved, That Orders be immediately diſpatched to the Provincial Councils of Patna, Moorſhedabad and Dacca, to take Poſſeſſion of the French Factories at thoſe Places, with all the Property belonging to that Nation, and to attach the Perſons of all the Subjects of the French Nation who ſhall refuſe to paſs their Parole.

" The following Circular Letter is accordingly written to Patna.

" Gentlemen,

To Patna.

" In conſequence of a Declaration of War which was made by the Court of Great Britain againſt France, on the 18th March laſt, and by France againſt England, on the 30th of the ſame Month, we do hereby order and command you to ſend a Military Force to the French Factory, to demand of the Chief the Surrender thereof, with all Stores and other Effects, both public and private, into your Hands. Such of the Inhabitants as will paſs their Parole may be permitted to remain in quiet Poſſeſſion of their Houſes; but all the Subjects of France, either within the French Factory, or in other Places within the Limits of your Authority, who ſhall refuſe or evade to give their Parole, are to be ſeized and made Priſoners.

" In caſe of a Refuſal to deliver up the Factory, &c. as demanded, you will immediately take Poſſeſſion by Force.

" You will cauſe an Inventory to be made of all the Effects which ſhall be delivered up, and tranſmit a Copy of the ſame to us, taking proper Care to preſerve them untouched.

" Fort William, 9th July 1778. We are, &c.

" The ſame to Dacca and Coſſimbuzar.

" Reſolved,

" Reſolved, That the following Orders be immediately iſſued to the Commanding Officers of Berhampore and Dinapore:

" To the Commanding Officer at Burhampore.

To the Officers commanding at Dinapore and Berhampore.

" Sir,

" You are hereby commanded to pay immediate Obedience to ſuch Orders as you ſhall herewith receive from the Chief and Council at Moorſhedabad.

" Fort William, 9th July 1778. We are, &c.

" The ſame to the Commanding Officer at Dinapore, to obey the Orders received from Patna.

" There being no Brigade Sepoys at Dacca, an Order to the Commanding Officer of the Militia Corps ſtationed there ſimilar to the above, as that Corps is immediately under the Direction of the Provincial Council.

" Reſolved, That the following Letter be written to the Dutch and Daniſh Settlements, and that they be tranſmitted to Lieutenant Colonel Dow, to be forwarded by him whenever he ſhall think proper:

" To the Director and Council at Houghly.

" Gentlemen,

" We have received Intelligence too well authenticated to doubt its Veracity, that War was declared by the Court of Great Britain againſt France on the 18th of March laſt, and by the Court of France againſt Great Britain on the 30th of the ſame Month. We have therefore thought it incumbent on us to take Poſſeſſion of the Town of Chandernagore, and to attach all the French Property which ſhall be found in theſe Provinces; but as we think it probable that Endeavours will be uſed by the French to cover their Property under the Marks of Dutch or Daniſh Colours, to remove with it into the Limits of the Territories of thoſe Nations, we expect, from the Friendſhip ſubſiſting between your Nation and our's, that you will take effectual Means to diſcourage and prevent the Succeſs of any Attempts of that Nature.

" Fort William, 7th July 1778. We are, &c.

" The ſame to Fredricknagore.

" Warren Haſtings,
Richard Barwell,
P. Francis,
Edward Wheler."

Read, from Book 506, already delivered in, the following Extract of a Conſultation of the 4th Auguſt 1778, beginning at Page 905 of the ſame Book.

" Fort William, 4th Auguſt 1778.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſq. Governor General, Preſident;
and
Richard Barwell Eſquire.
Meſſ. Francis and Wheler indiſpoſed.

" Governor General.—When I lately recommended an Augmentation of the Corps of Militia Sepoys at Calcutta to 15 Companies, I meant it as a Part of a general Reformation which the preſent Seaſon particularly requires, for the Prevention of the Diſorders to which the Peace of the Country may be liable from the Diſtance of our regular Forces, and for the additional Duties which may be committed to the Militia Sepoys in the Time of War. The following are the Eſtabliſhments which I would recommend for the different Stations of the Provinces, to be all rendered uniform with that recommended by General Stibbert, in his Letter of the 6th April, viz.

For a Corps conſiſting of 10 Companies.

1 Commandant,	1000 Sepoys,
10 Subadars,	10 Tomtoms and Trumpeters,
1 Subadar, as Adjutant,	3 Sircars,
10 Jemedars,	3 Doctors,
80 Havildars,	4 Armourers, and
80 Naiks,	10 Watermen.

And for the ſmaller Corps in proportion, as in the Eſtabliſhment recommended by him in the ſame Letter, for the Fort of Buxar.

Patna — — — — —	10 Companies.
Buxar (to be hereafter reduced) — — —	3 D°.
Boglepore — — — — —	3 D°.
The Diviſion of Dinagepore — — —	4 D°.

Moorſhedabad

Moorſhedabad — — — —	10 Companies.
Chittagong: The Battalion complete, on it preſent Eſtabliſhment, being	10 D°.
Burdwan — — — — —	4 D°.
Calcutta Diviſion — — — —	15 D°.

When the Eſtabliſhment is formed, it will be neceſſary to remand the Three Companies of the Light Infantry from Boglepore to their Corps, which will probably be required to be kept entire, that it may be employed for the Defence of the Provinces.

" The Dacca Diviſion ſhould furniſh the Detachments required for Sylhet, and for all the other Services of the Diviſion, and the Detachments of the Chittagony Battalion be recalled.

" The Chittagong Battalion ſhould be kept entire for the Defence of that Diſtrict, for which it will not be more than ſufficient; and for the Diſtrict of Tipperah, a proper Sebundy may be eſtabliſhed in the Room of Two Companies of Sepoys which have been hitherto ſtationed there.

" The Battalion of Chittagong, being for the Protection of that Diſtrict, and from its Diſtance incapable of Relief, I have incloſed it in the Liſt of Military Eſtabliſhments, although it is a regular Battalion upon the old Eſtabliſhment, which, being now revived, I would propoſe that it be made in all Reſpects conformable to the Battalions of Brigade Sepoys.

" I have recommended 15 Companies for the Calcutta Diviſion, which will not be thought diſproportionate to the reſt, when it is conſidered that, beſides the many Guards and occaſional Patroles for this City and its Environs, all Eſcorts for Treaſure ſent to the Aurungs by the Board of Trade for Stores of various Kinds diſpatched from the Preſidency for the Agent of the Military Cloathing, and for many other Services, in which the Militia of the other Stations is rarely employed, are all furniſhed from this Corps. However, if it be thought too large an Eſtabliſhment, a Trial may be made with 12 Companies.

" That the Board may have a complete View of the Expences of this Augmentation, I deſire that the Secretary will ſubjoin a comparative Account of the Expence of the Militia Eſtabliſhments, including the Battalion at Chittagong, as they ſtood before the 26th June laſt, and an Account of the Eſtabliſhments which I have now recommended.

" I wiſh to take the Opinion of the Members of the Board on this Propoſition in Circulation, and lay before them, to be ſent with this Minute, the following Letter from the Collector of Chittagong relative to the Defence of that Diſtrict.

Chief of Chittagong to the Governor General.

" Honourable Sir,

" As this Province has always been conſidered open to an Invaſion, I think it neceſſary to apprize you of its Situation at this Period. You muſt be already acquainted, I preſume, that there is a Bar at the Mouth of the River; that it is not ſufficient to prevent the Entrance of very large Ships at High Water, and of ſmall at low; and that a Deſcent may be alſo made upon the Coaſt higher up; for although the Land near the Sea Side is interſected with Nullahs and Ditches, they are not of a Nature to prove an Obſtruction to the ſpeedy and ſafe March of a Body of Troops. The French are well acquainted with the Situation of Chittagong, and the People of one of their Ships which called here laſt Year, were known to have ſounded moſt Part of the River.

" It does not appear probable that an Enemy who had the Conqueſt of Bengal in view, would think of landing a Body of Forces, equal to ſo great a Deſign, at Chittagong. The Deſcent of a ſmall Force is more probable, as implying an Object of Importance, and as it might be conducted with the greateſt Proſpect of Succeſs, at a ſmall Expence of Men or Money. The probable Object may be deemed the Plunder of the Company's Treaſure, and the Province; the exciting an Alarm, and procuring a Diverſion of the Troops, and the Credit ſuch a ſucceſsful Invaſion would cauſe in the Eyes of the Natives.

" Of the Battalion ſtationed as the Complement, there are only 244 Men within the Province; Sylhet, Tipperah, Luckipore, Sundeep, and Colerida, being at preſent ſupplied with Guards from it. Of thoſe remaining the greateſt Part are employed on neceſſary Pieces of Duty; and if, in caſe of an Invaſion, they could be called in, they would be very unfit for entering immediately into an Engagement, as the Battalion has been for more than theſe laſt Twelve Months in ſuch a Situation as not to admit of a greater Number being aſſembled.

" Two Frigates, with Two or Three hundred Men, would at this Time enſure certain Succeſs to any European Invaders; ſo that, conſidering the Defence of the Province an Object of Conſequence, an Addition of Three or Four hundred Men ſhould be made to the Eſtabliſhment, with whom, when well diſciplined, the Province might be defended againſt ſuch an Invaſion as I have ſuppoſed; at leaſt Time would be given for the Removal of the Treaſure, and for the Inhabitants to remove their Effects.

" As ſoon as I have any Money in the Treaſury, which will be about the Middle of next Month, I ſhall keep Coolies ſufficient, in monthly Pay, to remove it at a Moment's Warning; for the Notice we ſhould obtain of a Veſſel or Two in the Harbour would probably not afford me ſufficient Time to provide them, ſince the Diſtance from the Mouth of the River is only Eight Miles.

" With

" With reſpect to any other Means of Defence, I ſee none that could be effected without a very heavy Charge. The Houſe of every Inhabitant ſtands upon a Hill, but there is not One ſo ſituated as not to be overlooked by another; at the ſame Time the Vallies are ſo covered with Underwood, that any Plan of Defence of this Kind would be inſecure, whilſt a Plan of Attack would have many Advantages.

" It may be ſome Satisfaction to you to be informed, that I have ſtationed People to give me Notice, by Signals, of any Veſſels approaching.

I have the Honor to remain, with much Reſpect,

Chittagong, Sir, &c.

27th July 1778. (Signed) R^d Sumner."

" The Honourable the Governor General."

Comparative Account of the Expence of the Militia Eſtabliſhment.

" The ſame having been ſent in Circulation, with the Comparative Account required in the Governor General's Minute, it is entered, as follows, with the Opinions which have been received on the Subject.

" Comparative Eſtabliſhments of Militia Sepoys, prior to the 26th June 1778, and propoſed by the Governor General, the 4th Auguſt 1778.

	Old Eſtabliſhment, and Monthly Pay.		New Eſtabliſhment, and Monthly Pay.		Encreaſe per Month.	
	Companies.	Rupees.	Companies.	Rupees.	Companies.	Rupees.
Calcutta — — —	9	6,490	12	8,790	1	2,300
Moorſhedabad — — —	8	5,780	10	7,370		1,590
Dacca — — —	6	4,360	10	7,370		3,010
Patna — — — —	9	6,490	10	7,370		880
Burdwan — — — —	2	1,472	4	2,960		1,488
Denagepore — — —	2	1,472	4	2,960		1,488
Buxar — — — —			3	2,142		2,142
Boglepore — — — —			3	2,142		2,142
Chittagong — — —	10	6,580	10	6,580		
Total Son^t Rupees —		32,644		47,684		15,040

Opinions, and

" Mr. Francis.—I acquieſce, confining the Augmentation at the Preſidency to 12 Companies.

" Meſſ. Barwell and Wheler ſubſcribed to the Opinion of Mr. Francis.

Reſolutions thereon.

" Reſolved, That the following Eſtabliſhments of Militia Sepoys be formed for the different Stations of the Provinces, viz.

For a Corps conſiſting of Ten Companies.

1 Commandant,
10 Subadars,
1 Subadar, as Adjutant,
10 Jemedars,
80 Havildars,
80 Naiks,
1000 Sepoys,
10 Tomtoms and Trumpeters,
3 Sircars,
3 Doctors,
4 Armourers,
10 Watermen.

And for the ſmaller Corps in proportion to the following Eſtabliſhment, viz.

For a Corps conſiſting of Three Companies.

1 Subadar, as Adjutant,
3 Subadars,
3 Jemedars,
18 Havildars,
18 Naiks,
3 Tomtoms,
300 Sepoys,
2 Sircars,
2 Doctors,
3 Armourers,
3 Watermen."

" Reſolved therefore, that the following Eſtabliſhments be formed at the under-mentioned Stations.

At Patna	10 Companies.
Buxar (to be hereafter reduced)	3 D°.
Boglepore	3 D°.
The Diviſion of Dinagepore	4 D°.
At Moorſhedabad	10 D°.
" Dua	10 D°.
" Burdwan	4 D°.
" Calcutta Diviſion	12 D°.
" Chittagong: The Battalion complete on its preſent Eſtabliſhment, being	10 D°.

" Reſolved, That when theſe Eſtabliſhments are formed, the Three Companies of Light Infantry be remanded from Boglepore to their Corps.

" That the Dacca Diviſion do furniſh the Detachments required for Sylhet, and for all the other Services of that Diviſion; and that the Detachments of the Chittagong Battalion be recalled.

" That the Chittagong Battalion be kept entire, for the Defence of that Diſtrict, and that it be made in all Reſpects conformable to the Battalions of Brigade Sepoys; and for the Diſtrict of Tipperah a proper Sebundy to be eſtabliſhed in the Room of the Two Companies of Sepoys which have been hitherto ſtationed there.

Sent to the Military Secretary; and circular Letter in conſequence.

Ordered, That a Copy of theſe Reſolutions be tranſmitted to the Military Secretary, that the neceſſary Directions may be iſſued from the Military Department: And,

" Agreed, That the following Letters be in conſequence written.

L. S. No. 188.

" To Mr. Alexander Higginſon, Chief, &c. Provincial Council of Burdwan.

" Gentlemen,

" We have thought proper to augment the Militia Sepoys ſtationed at Burdwan to Four Companies.

" Fort William, 4th Aug. 1778. We are, &c.

" The ſame to Patna	10 Companies.
Dinagepore	4 D°.
Moorſhedabad	10 D°."

L. S. No. 189.

" To Mr. James Barton, Collector of Boglepore, &c.

" Sir,

" We have thought proper to direct, that the Three Companies of Light Infantry, at preſent under your Orders, be remanded from Boglepore to their Corps, and we have eſtabliſhed in their Room Three Companies of Militia Sepoys. The Detachment from Captain Browne's Corps will however continue to remain at your Station until the Militia Corps ſhall have been formed.

" Fort William, 4th Aug. 1778. We are, &c."

" To Mr. John Shakeſpear, Chief, &c. Provincial Council of Dacca.

" Gentlemen,

" We have thought proper to direct that the Eſtabliſhment of Militia Sepoys ſtationed at Dacca be augmented to 10 Companies. From this Corps therefore muſt be furniſhed the Detachments required for Sylhit, and for all the other Services of your Diviſion.

" Fort William, 4th Aug. 1778. We are, &c."

L. S. No. 191.

" To Mr. Richard Sumner, Chief of Chittagong.

" Sir,

" The Governor General having laid before us your Letter to him of the 27th ultimo, we have thought proper to direct, that the Battalion of Sepoys ſtationed at Chittagong be kept entire for the Defence of your Diſtrict, and that it be made in all Reſpects conformable to the Battalions of Bengal Sepoys.

" We have further directed, that the Detachments required for Sylhet, and for all the other Services of Dacca Diviſion, be furniſhed from the Militia Sepoys at that Station; and that the Detachments of the Chittagong Battalion be recalled.

" In the Diſtrict of Tipperah we direct, that a proper Sebundy be eſtabliſhed in the Room of the Two Companies of Sepoys which have been hitherto ſtationed there.

" We are, &c.

" Warren Haſtings,
Richd Barwell,
P. Francis,
Edwd Wheler."

" Fort William,
4th Auguſt 1778.

Read,

Read, from Book 13, already delivered in, the following Extract of a Conſultation of the 7th July 1778, beginning at Page 249 of the ſame Book.

" Fort William, the 7th July 1778.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General;
Richard Barwell,
Philip Francis,
Edward Wheler, } Eſquires.

Secret Dep. Thurſday.

" The Board think it proper, before they proceed any further in the Conſideration of this Buſineſs, to annul the Letter to Colonel Leſlie, prepared Yeſterday, and now laid before them for Signature, and to direct him, on the Grounds of the Information now received, to proceed, with the Detachment under his Command, to Berar, a Country on his Road to Bombay, which is, at the ſame Time, contiguous to Bengal, and convenient for the Return of the Troops, if it ſhould appear expedient to recall them for the Defence of theſe Provinces. The following Letters are therefore written to Colonel Leſlie, and ordered to be diſpatched to him this Evening by expreſs Pattamars.

" Sir,

" We have received Intelligence, by the Way of Suez, that War was declared by the Court of France againſt England on the 30th of March laſt; we think it neceſſary therefore to give you peremptory Orders to proceed with the Detachment under your Command, by eaſy Marches, on the Road to Berar, but not to paſs beyond that Province, until you ſhall receive further Inſtructions from us, notwithſtanding any Orders to the contrary which may be ſent to you from the Preſident and Council of Bombay.

" Fort William,
the 7th July 1778.

We are, &c.

(Signed at the End of the Conſultation)
" Warren Haſtings,
Richd Barwell,
P. Francis,
Ed^w^d Wheler." (*a*)

To ſhew the Communication made by the Governor General and Council to the Court of Directors, of their having increaſed their Military Eſtabliſhment by the Addition of Nine Battalions of Sepoys, and of their having called upon Cheit Sing to furniſh Three of them,

Read, from Book 16, already delivered in, the following Extract of a Letter from the Governor General and Council at Fort William to the Court of Directors, dated Auguſt 17, 1778, beginning at Page 235 of the ſame Book.

" To the Honourable the Court of Directors for Affairs of the Honourable United Company of Merchants of England trading to the Eaſt Indies.

" Honourable Sirs,

Par. 4. " On the 7th ultimo we received a Letter from Mr. George Baldwin, at Cairo, dated 4th May, acquainting us with the State of Affairs in Europe. He quoted ſeveral Authorities and Extracts from private Letters, to prove that Great Britain was at War with France: He added, as Intelligence from undoubted Authority, that Tartans had been diſpatched from Marſeilles to all the French Ports in the Mediterranean, to caution them againſt the Engliſh as their open Enemies; and he further informed us, that he underſtood a mutual Declaration of War had been made, in London on the 18th March, and at Paris on the 30th of the ſame Month. He corroborated all theſe Informations, by annexing the Teſtimony of ſeveral Engliſh Gentlemen at Cairo; that they had not only heard the Reports he alluded to, but believed them to be well founded.

5. " With ſuch circumſtantial Evidence before us, we thought that no Time ſhould be loſt in proceeding upon it as Fact, and therefore agreed to take ſuch immediate Meaſures as we judged neceſſary for the Security of your Poſſeſſions committed to our Charge. We ordered Colonel Leſlie, with his Detachment, to halt when he ſhould arrive within the Diſtrict of Berar, and to wait there for further Orders. We wrote to the Preſidency of Fort St. George, recommending it to them, to aſſemble a ſufficient Force in the Neighbourhood of Pondicherry with all poſſible Expedition, to be ready to inveſt that Place the Moment that a Confirmation of the News ſhould arrive. We adviſed them to open a Negociation with the Nabob Hyder Ally, who lately had made repeated Applications to their Preſident to ſolicit an Alliance with the Company. We ordered the Balance of Caſh, which had accumulated in the Hands of our Reſident at Owde, to

(*a*) Vide Appendix, N°. CCXVII, ſupra.

be

be immediately ſent down to the Preſidency; and called for ſuch Accounts as might enable us to determine the State of our immediate Reſources. (*a*)

(Signed at the End of the Letter)

" Warren Haſtings,
Rich[d] Barwell,
P. Francis,
Ed[d] Wheler."

" Fort William,
the 17 Auguſt 1778.

Read, alſo, a further Extract from the ſame Letter, beginning at Page 240 of the ſame Book.

Par. 12. " We have agreed to augment our own Military Eſtabliſhment by the Addition of Fifteen Companies of Native Artillery and Nine Battalions of Sepoys. Three of theſe Battalions are now forming by Drafts from the Regular Troops which are ſtationed in the Nabob's Dominions, and the other Six will be compoſed of Recruits. But as we think it juſt, that Rajah Cheyt Sing ſhould contribute his Part to the Charges of the War, we have determined that Three of theſe Battalions ſhall be raiſed and maintained at his Expence, by Means of a Subſidy of 5 Lacks per Annum, which he has agreed to for One Year," (*b*)

To prove that the Court of Directors received this Letter, appriſing them of the Demand made upon Cheit Sing by the Governor General and Council,

Read, from Book 44, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, dated 14 April 1779.

" Our Governor General and Council at Fort William in Bengal.

Par. 2. " By the Company's Ship Eagle, which arrived at Plymouth the 9th inſtant, we received your ſeveral Advices in the Public, Secret, and Revenue Departments."

(Signed at the End of the Letter)

G. Wombwell,
W[m] James,
Jn[o] Woodhouſe,
L. Sulivan,
J. Purling,
W. Mills, junior,
H. Fletcher,
Rich[d] Becher,
Cha[s] Boddam,
W. G. Freeman,
Th[s] Cheap,
Ben. Booth,
John Smith,
W. Devaynes,
Nath[l]. Smith,
Joſeph Sparkes,
J. Stables.

The Counſel for the Defendant ſtated, That the next Point reſpecting the firſt Demand made upon the Rajah Cheit Sing, of Five Lacks of Rupees, in the Year 1778, was the State of the Treaſury in that Year. That the Managers for the Commons had given in Evidence a Conſultation of the 10th of Auguſt 1778, relative to a Propoſal of a Loan. That there were Two Conſultations relative to the ſame Subject antecedent to the 10th Auguſt 1778, viz. on the 23d and 24th July 1778, which they deſired might be read.

Read, accordingly, from Book 13, already delivered in, the following Extract of a Conſultation of the 23d of July 1778, beginning at Page 497 of the ſame Book.

" Fort William, the 23d July 1778.

Secret Dep. Thurſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell, } Eſquires.
Philip Francis, }
Mr. Wheler indiſpoſed.

" Mr. Francis lays before the Board the following Minute, which he begs leave to ſubmit to their Conſideration.

" 23d July 1778.

Mr. Francis's Minute.

" More than Seventeen Days having now elapſed ſince the Firſt Advices were received on which we have deemed a War with France inevitable, and which have determined us to act offenſively

(*a*) Vide Appendix, N°. CCXVIII. (*b*) Vide Appendix, ibid.

againſt

againſt that Nation, I think it Time that the Board ſhould immediately form and reſolve on the general Plan of Meaſures which the Defence of Bengal may require us to adopt in the preſent Conjuncture. The Meaſures I allude to being of a general Nature, and the Reſolutions leading to them being preliminary and fundamental, fall ſolely, as I conceive, within the Judgement of the Board; the Means and Mode of Execution may be determined by military and official Advice. I propoſe therefore that it may be reſolved, that it is the Opinion of this Board, that for the Defence of Fort William, in the Caſe of an Invaſion, and of Budge Budge, and to form an Army of Obſervation ſufficient to keep the Field, it is indiſpenſibly neceſſary that Twenty Battalions of Sepoys on the preſent Eſtabliſhment, amounting to 15,600 Rank and File, ſhould be forthwith aſſembled at or near the Preſidency.

" Reſolved, That of the above Force Eight Battalions ſhall be ſtationed in Fort William, which, together with Two Regiments of Europeans, the Militia, and all the Artillery except One Company, with a proportionate Eſtabliſhment of Laſcars and Artificers, ſhall conſtitute the Standing Garriſon thereof.

" Reſolved, That Three Battalions and a Half of Sepoys, and One Company of Artillery, ſhall conſtitute the ſtanding Garriſon of Budge Budge.

" Reſolved, That the remaining Eight Battalions and a Half of Sepoys ſhall be employed in the Field as an Army of Obſervation, or in the Defence of ſuch Out Poſts and Stations as the Service may require.

" Reſolved, That immediate Orders be given to the Officer now commanding in the Field for the March of One of the Regiments of Cavalry now ſtationed there forthwith to the Preſidency, compleating the ſame, if neceſſary, by Draughts of Men and Horſes from the other Regiments of Cavalry; and that the above Regiment ſhall act in Conjunction with the Army of Obſervation.

" Reſolved, That the above mentioned Twenty Battalions of Sepoys ſhall conſiſt of all the native Troops now in the Company's Service, and that their Places ſhall be ſupplied by new Levies, for the Defence of the Nabob of Oude's Country, and of ſuch other Poſts and Stations as may require it.

" Reſolved, That the Regiment of Europeans now at Burranyrow be ordered to the Preſidency, and quartered at Fort William.

" Reſolved, That Colonel Ironſide be immediately ordered into the Fort to take upon him the Command thereof, with Inſtructions to attend to the conſtant Exerciſe and Diſcipline of the Garriſon, particularly to train and exerciſe all the Europeans without Diſtinction in the working of Guns.

" Reſolved, In order to expedite the new Levies, and to compleat the Twenty Battalions deſtined for the Service of the Preſidency, the Militia Sepoys at the different Stations ſhall be revived, and ſuch of the Men as are fit for Service draughted and incorporated in the eſtabliſhed Battalions; and that their Places ſhall be ſupplied by new Levies.

" Reſolved, That the Colonels or Commanding Officers of the ſeveral Brigades do make an immediate Return to the Commander in Chief of the actual State of the Field Equipage, of the Number, State, and Condition of the Laſcars, and Draught and Carriage Bullocks and Elephants, &c. properly trained and fit for Service; alſo a Report of the Quantity, Quality, and Condition of the ſeveral Stores furniſhed by Contract; and that theſe Reports be referred to the Commander in Chief, for his Opinion of the Augmentations and further Proviſions neceſſary to be made in order to the compleat Supply of the Force deſtined for the Service of the Preſidency.

" Reſolved, That the Four Companies of Artillery be immediately compleated by Draughts from the European Regiments; and that Two Companies belonging to the European Regiments be particularly trained to the Service of the Artillery; and that Part of the Native Artillery, equal in Number to the Four Companies of Europeans, be ſelected and trained to the ſame Service; and their Pay made equal to that of the Sepoys.

" I alſo think it my Duty to propoſe it to the Conſideration of the Board, whether, conſidering the preſent Emergency;—the extraordinary Expences to be provided for;—the actual State of our Treaſury;—the Poſſibility of a Diminution in our Collections in caſe of Commotions in the Country; and the Advantage of poſſeſſing a Quantity of Specie, which in that Caſe would probably be ſecreted, and of ſecuring the Fidelity of a Number of wealthy Individuals, it might not be adviſeable to open the Company's Treaſury for a Loan of Fifty Lacks of Current Rupees at Five per Cent. Suppoſing us to keep this Money a Year, and to have no further Occaſion for it, I conceive that the Conſiderations above ſtated greatly outweigh that of the Expence of Two Lack and a Half for a Year's Intereſt.

" On Tueſday the 31ſt inſtant the Balance in the Treaſury was			—	54,32,808
Deduct paid Yeſterday to the Caſh	—	—	50,000	
Do. to Military Storekeeper	—	—	40,000	
				90,000
				53,42,808

" If the Board will obſerve of what Articles this Balance conſiſts, they will ſee how ſmall a Sum we have in Hand ſtrictly applicable to Current Services.

" 1ſt, 34,80,000 is depoſited in the New Fort as a Fund to be reſerved for an extraordinary Emergency, and in my Opinion ſhould not be touched but upon an actual Invaſion.

" 2dly, 13,39,968 conſiſts of Depoſits of private Property, which does not belong to the Company, and may be drawn out of the Treaſury on Demand.

" Theſe Two Sums deducted from the Balance in Hand leaves only 5,22,840 Current Rupees; and even the Exiſtence of this Balance depends on the realizing all the Paper Security in the Two Treaſuries, amounting to 7,36,794, which conſtitutes Part of the whole Balance of 53,42,808 Current Rupees.

(Signed) P. Francis.

" The Governor General.—I ſhould be ſorry to appear deficient, on an Occaſion of ſuch Importance as this, in bringing before the Board ſuch Propoſitions as from my Station it becomes more indiſpenſibly neceſſary for me to prepare for their earlieſt Conſideration; but I beg Leave to remind the Board that we have already called upon the Commander in Chief for his Opinion of the Meaſures which ſhould be taken for the Defence of the Provinces. I have alſo taken the ſeparate Opinions of the Chief Engineer and the Commandant of Artillery reſpecting the Defence of Fort William. I have of Courſe waited for them, as eſſential and effectual Material for the Formation of our public Reſolutions.—I do not mean that we ſhould be implicitly guided by them, but at leaſt to take them for the Grounds of our Proceedings.

" The Commander in Chief has not yet delivered his Opinion, but I believe it is ready, and if I rightly recollect the Aſſurances which he made me, I think the Day before Yeſterday, he will be able to attend the Board with it within the Courſe of this Week.

" The Opinions of the Chief Engineer and Commandant of Artillery reſpecting the Proviſion of Stores which would be neceſſary for the Garriſon in the Caſe of a Siege, and of the additional Arrangements and Operations required for compleating the Artillery Eſtabliſhment, ſo as to render it equal to every Service that might be required from it in an Invaſion of the Province, were laid before the Board on the 20th inſtant; and I have brought a Letter written to me by the Chief Expences, containing a Detail of all the Operations which, in his Judgement, would be required in his Department. Theſe I propoſed to read this Morning. They ought to be recorded, and the Opinion of the Commander in Chief ought to be received and well weighed before we can form any Opinions of our own. I now deſire the Chief Engineer's Letter, which I mentioned my Intention of laying before the Board when Mr. Francis introduced his Propoſitions, with Colonel Pearſe's Letter, may be the Firſt Papers read at our next Meeting.

" The Governor General lays before the Board the following Letter from the Commander in Chief, in conſequence of a Reference which he made to him for his Opinion on the Liſts of Stores laid before the Board the laſt Council Day, and propoſed to be provided for the Garriſon; and moves, That all, except the Engineers, be immediately ordered to be purchaſed and laid in under his Direction, with ſuch Deviations as the Neceſſity of Circumſtances may make it requiſite for him to allow of. This he deems neceſſary, becauſe he thinks that all the Articles of victualling Stores cannot be immediately procured, and becauſe many of theſe Articles which are procurable muſt remain until proper Places can be prepared for their Reception in the Fort.

" Sir,

Commander in Chief, 23d July.

" Agreeable to your Requeſt, I have examined into the Liſts of Stores, given in to you by the Commandant of Artillery and Chief Engineer, neceſſary in their ſeparate Departments for the Defence of Fort William in a Siege, which do not appear to me to be deficient or over rated in any Articles, and I think may with Propriety be aſſented to and ordered to be compleated.

" I have alſo examined the Liſt of Proviſions, delivered to you by the Chief Engineer, neceſſary for the Supply of the Garriſon during a Siege. This, with the Increaſe I have made to ſome Articles, and the few I have added as marked in the Margin, I likewiſe recommend to be provided.

" Fort William, July 22d 1778.

I am, with due Reſpect, &c.
(Signed) G. Stibbert.

" Agreed to the Governor General's Propoſition; and that the additional Stores recommended by the Commander in Chief be added to the Liſt recorded in Conſultation 20th inſtant, and provided accordingly.

" Warren Haſtings,
Richd Barwell,
P. Francis,
Edwd Wheler."

Read,

Read, the following Extract of a Conſultation of the 24th of July 1778, beginning at Page 511 of the ſame Book.

" Fort William, 24th July 1778.

" At a Council; Preſent, Sec. Dept. Friday.

The Honble. Warren Haſtings Eſquire, Governor General, Preſident;
Richard Barwell, Philip Francis, } Eſquires.
Mr. Wheler indiſpoſed.

" The Proceedings of Yeſterday read and approved.

" The Secretary lays before the Board the following Minute from Mr. Wheler.

" Fort William, the 23d July 1778.

" Having been prevented from attending the Board this Day by Indiſpoſition, Mr. Francis has favoured me with a Communication of certain general Propoſitions given in by him for the Defence of Bengal, and for making a Loan of 50 Lacks of Current Rupees at 5 per Cent. Intereſt. Mr. Wheler's Minute.

" I take this Opportunity to declare that the above Propoſitions, as well for the Defence of Bengal as for making the Loan in Queſtion, meet with my entire Concurrence and Approbation.

" The former, or ſomething adequate thereto, I deem abſolutely and indiſpenſably neceſſary for the Safety of the Country committed to our Charge, and that any further Delay in taking the moſt effectual Precautions againſt the Poſſibility of an Invaſion after the Advices we have received, and knowing the embarraſſed State of our Government at home, which leaves us little Proſpect of Aſſiſtance from thence, will be abſolutely inexcuſable towards our Employers, the People under our Protection, and the Britiſh Nation at large.

" The Loan I deem a very judicious and adviſeable Meaſure, as well to have ſuch a Sum in caſe of Emergency, as to ſecure the Attachment of ſo conſiderable Part of the Inhabitants as would probably become Subſcribers; and I have no Doubt, if begun immediately, but we ſhall in the Courſe of Two or Three Months be able to fill it up; but if this or other Precautions are neglected till the Time of Danger, they will then be impoſſible and unattainable.

" I ſincerely hope that the Emergency of the Caſe will unite every Member on the preſent Occaſion, and that the Motions will be followed by unanimous Reſolutions.

" The Governor General delivers in the following Letter from the Chief Engineer.

" To the Honourable Warren Haſtings Eſquire, Governor General, &c. &c.

" Sir,

" Having already furniſhed you with a Liſt of ſuch Engineer's Stores as I deem requiſite for the actual Defence of Fort William, I ſhall now conſider the Arrangements which I apprehend to be abſolutely neceſſary for impeding the Progreſs of an Enemy who may come properly prepared for the Siege of that Fortreſs. The Chief Engineer.

To defeat ſuch an Enterprize there are Four principal Objects to which I conceive the Attention of Government ſhould be particularly directed; viz.

" 1ſt. To endeavour if poſſible to keep Poſſeſſion of the intricate Channels which form the Entrance into the River Houghley.

" 2dly. To oppoſe an Enemy's Fleet in their Progreſs up the River at every Place where the Channel is narrow, or the Navigation difficult and dangerous.

" 3dly. To make a determined and reſolute Stand againſt the whole Force of an Enemy at the Poſt of Budge-Budge.

" 4thly. To oblige an Enemy to make their Attack upon the South Side of Fort William.

" The Means of oppoſing the Entrance of an Enemy's Fleet into the River I have already explained in my Letter to the Board of the 15th inſtant, I ſhall therefore ſay nothing more upon that Subject at preſent, except to expreſs my anxious Wiſhes that the whole Plan may be ſoon carried into ſubſtantial Execution.

" To obſtruct the Paſſage of an Enemy's Fleet up the River Houghley, many natural Difficulties are ſtill to be overcome, both from the ſkilful Pilotage which is required in ſome of the Channels, and the Narrowneſs of others. It is at ſuch Places that new Impediments may be oppoſed with the greateſt Succeſs, and Batteries ſhould be erected upon Points of Land which command and rake thoſe Channels in the moſt advantageous Manner, and where the Diſtance is not ſo great as to render the Certainty of ſtriking an Object precarious: But of thoſe commanding Situations ſuch only ſhould be choſen as may be made defenſible againſt the ſudden Aſſault of a Body of Troops which might be occaſionally landed from an Enemy's Fleet; and at all theſe choſen Poſts good Redoubts, fraized with ſtrong Palliſadoes, ſhould be erected. If they are properly conſtructed, ſuch Works are not to be carried by the mere Effort of the Firelock and Bayonet; neither will the Defendants receive ſuch Annoyance from the Cannon of the Ships of War. The Expence of theſe Works will be trifling in Compariſon of the very eſſential Service which may be expected from them, and an Enemy muſt inevitably be either frequently reduced

to the Neceſſity of landing Cannon and Mortars, or to riſque the Loſs of their Ships upon every Attempt to paſs a Station where ſuch Obſtacles are added to the natural Difficulties of the Navigation.

" I am unable at preſent to point out all the Situations which are proper for the Conſtruction of the forementioned Works; and until I have made a particular Examination of the River myſelf, in Company with Mr. Gilbraith, who I had the Honor before to recommend as a Man whom I wiſhed to conſult as an able and experienced Pilot, I can only recommend ſome additional Works to be executed at Budge Budge, and the Point of Sangrail to be occupied without Loſs of Time.

" Beſides the Oppoſition and Retardment which an Enemy may receive from the Works before mentioned, we have, I hope, a ſtill more formidable Means of deſtroying their Squadrons by Fire in the narrow Channels of the Houghley. In my own Opinion, our Attempts could ſeldom fail of Succeſs but from the moſt palpable Miſmanagement, or Ignorance of the Perſon who might be charged with this Part of our Defence. It is from a thorough Conviction of the Miſchief which may be done to an Enemy's Fleet by the Means of Fire Floats, that I moſt earneſtly requeſt you will permit me to prepare one Set, in order that an Experiment may be tried, with which they can be laid on board a Ship riding at Anchor in the Stream, and of the Impoſſibility of a Ship under Sail evading their terrible Effects, by any other Means whatever than that of altering her Courſe briſkly; but this would be a momentary Expedient, for if ſhe eſcaped the Flames, no Skill could afterwards prevent her from running aground, and no Efforts from being deſtroyed by our Batteries.

" The Confuſion and Damage which muſt inevitably ariſe from the Uſe of theſe formidable and perhaps unexpected Weapons of Defence would, I apprehend, fruſtrate all Hopes of forcing a Paſſage up the River; and an Enemy muſt then be reduced to the Neceſſity of landing their Troops a conſiderable Diſtance below Calcutta, or of abandoning their Enterprize entirely; which latter Meaſure would, in my Opinion, be moſt prudent, though in Appearance leſs honourable to the Commanders; for I ſhould conſider an Attempt to conquer Bengal with an Armv which has its Fleet to eſcort and defend from the Banks of the Houghley, and at the ſame Time is obliged to open Trenches and erect Batteries before every Poſt which prevents their Progreſs up the River, could afford but a very indifferent Proſpect of Succeſs.

" In theſe various Attacks, to which I foreſee an Enemy muſt be reduced, their Troops will be conſtantly harraſſed by our Sepoys, and beſides, be very much expoſed to the Cannon Shot of our armed Veſſels and floating Batteries, both which may be employed on theſe Occaſions to great Advantage; and although they may not do much real Miſchief, yet they will incommode and retard the Operations of an Enemy, and moſt probably compel him to erect Batteries for the ſole Purpoſe of keeping our Craft at a greater Diſtance; neither can any Attack be carried on with Safety to their Ships, without they firſt occupy both Sides of the Rivers with Troops and Cannon; for if one Side remains undefended, our Fire Floats may be conducted to their Fleet with Eaſe and Safety. In ſhort, I ſee ſo much real Labour which muſt be performed, and ſo many Difficulties which muſt be ſurmounted by European Soldiers and Seamen, at the End of a long Voyage, that I am ready to believe an Enterprize ſo hazardous may probably be entirely fruſtrated, without one Cannon of Fort William being employed for the Defence of Bengal.

" In the preſent Situation of our Affairs, very little or no Oppoſition could be given to a powerful Squadron of Ships, with a conſiderable Body of Land Forces on Board. The Poſt of Budge Budge is the only Place which has yet been made uſe of for that Purpoſe; but the Works are only calculated to oppoſe the Progreſs of our Enemy's Fleet by the mere Effect of Cannon Shot, and no Advantage whatever has been taken of the natural Strength of the Situation. Our Battalions, it is true, might do conſiderable Miſchief to Ships, but the landing of a Body of Troops with a few ſmall Mortars, would oblige the Defendants either to ſurrender in Twenty-four Hours, or to make a precipitate and dangerous Retreat.

" It is to remedy this unaccountable Overſight, that I propoſe, with your Permiſſion, to conſtruct ſuch additional Works of Earth and Palliſadoes as will not fail, in my Opinion, to render the the Station of Budge Budge formidable, even to the whole Force which any Enemy can bring againſt it.

" My Plan is, to erect a Number of ſtrong fraized Redoubts within the Ditch of the Intrenchment that ſurrounds the Old Fort, each capable of containing One hundred Sepoys, and to have two ſmall Pieces of Iron Cannon to be uſed occaſionally; theſe Works to be flanked, and defended by each other reciprocally both by Muſquetry and Cannon. As theſe Redoubts will be ſituated cloſe behind a Ditch of about Forty Feet in Breadth, with at leaſt Seven Feet Water in it, an Enemy cannot therefore poſſibly carry one of them by Aſſault, nor can ſuch Works, in ſuch a Situation, be taken by any other Means that I know of than that of a regular Attack; and as the adjacent Ground is very low and marſhy, the Buſineſs of erecting Batteries and making Trenches muſt be attended with prodigious Labour and great Difficulty. I am convinced the Beſiegers will make a very ſlow Progreſs in their Approaches. Indeed, if we conſider the important Objects which muſt engage the Attention of an Enemy during the Time of this Attack, ſuch as guarding their Ships from the Effects of our Fire Floats, both above and below (which I think almoſt impoſſible); the taking and maintaining Poſſeſſion of the oppoſite Shore, to prevent their Fleet from being

being cannonaded by the Guns attached to our Troops of Obſervation on that Side; to ſecure their Camps and Out-poſts before Budge Budge againſt the Attacks and Inſults to which they will be liable from the Troops that may be moſt advantageouſly ſtationed for that Purpoſe behind the neighbouring Marſhes, where they remain in Safety, and return from their Attacks with great Security by the Means of Dingies and Canoes; I ſay, if we reflect upon an Enemy's Situation during the critical Period of their Operations, we cannot ſuppoſe that they will be able to afford more than Half their Troops for the Reduction of Budge Budge.

" Beſides theſe Redoubts, I propoſe to ſecure the lower Point of Land which forms one Side of the Mouth of Budge-Budge Nullah: By this Means we ſhall be able to keep a large Store of Fire Floats in perfect Security and Readineſs, to be employed as Occaſion may require. This Work will be protected by the Redoubt at the Extremity of the Intrenchments, which will, for that Reaſon, be made larger than the others.

" In order further to obſtruct the Progreſs of an Enemy's Fleet, I alſo propoſe to have a Line of Ships moored acroſs the Channel, (above Budge Budge), and faſtened together by very ſtrong Cables, with a Line of Fire Floats above or behind them, which I apprehend will effectually prevent the headmoſt Ship from eſcaping; for, if the Boom (of Ships) was not able to reſiſt her Weight and Force, the Floats would certainly intercept and deſtroy her, and if the Boom was ſufficiently ſtrong, our Batteries would ſoon reduce the Commander to ſurrender.

" It muſt be conſidered that, upon every Occaſion, when a Line of Ships attempt to paſs a ſingle Battery by a narrow Channel, there is always a good Chance of diſabling one of the headmoſt Veſſels; and if that happens, thoſe that follow muſt be in great Confuſion, and may perhaps either fall on board each other or run aground, even were the Whole ſupplied with good Pilots, Which, however, can never happen in this River.

" To oblige an Enemy to carry on their Approaches to the Southward of Fort William, muſt, I think, appear almoſt ſelf-evident to every Perſon; for, whilſt that Attack is continued, we muſt remain Maſter of the River above, and conſequently have the Means of reinforcing and relieving the Troops in Garriſon with the greateſt Eaſe and Safety.

" In order to reduce an Enemy to this Point of our Wiſhes, I propoſe to conſtruct a large Field Work on the oppoſite Shore, ſomething below Fort William, capable of containing Two Battalions of Sepoys, for a Garriſon; as this Fort will be ſecured with Fraized Work, it will not become an eaſy Conqueſt to an Enemy, open as it will be to Succours at all Times, neither can they poſſeſs themſelves of the Command of the River above, without being Maſters of this new Strong Hold; and, whilſt one Part of the Houghley remains open, and in our Poſſeſſion, all Attempts to wreſt Fort William from us muſt be attended with certain Diſappointment; and I conſider every Endeavour to force a Paſſage with Ships, when oppoſed by the Cannon of Fort William, and thoſe of the New Work, ſupported at the ſame Time by our Fire Floats and Armed Craft, cannot meet with a better Fate.

" But if an Attempt ſhould be made upon Fort William to the Southward, the Guns from the Field Work on the oppoſite Shore will gall an Enemy exceedingly, and moſt probably oblige them to change their Deſign of approaching by the River Side, which will be a conſiderable Advantage gained, as it will add much to their Labours.

" In ſhort, I am convinced, if we immediately purſue vigorous Meaſures for our Defence, and make uſe of the Advantages which Fortune has put into our Hands, that we ſhall ſoon be able to reſiſt the united Efforts of an Enemy who brings Twenty thouſand Soldiers and Twenty Ships of the Line to conquer us, and ſuch a Force, I apprehend, may be expected by the 15th of October.

" As the various Works which will be neceſſary muſt call for many Hands to execute them, I therefore requeſt, if my Plan of Defence ſhould meet with your Approbation, that I may have full Power to carry it into Execution; and that Two thouſand Bildars and Coolies be immediately ſent to Budge Budge, and One thouſand more collected to work upon the New Fort on the other Side of the River.

" I think it alſo neceſſary to acquaint you of the abſolute Neceſſity there will be to ſtop, for the next Three Months, all private Works in the Town of Calcutta, where Bildars, Coolies, Carpenters, Sawyers, Bricklayers, and Smiths can be employed. This Prohibition will enable me to execute every Order of the Board with the requiſite Diſpatch.

" I muſt alſo requeſt that you will pleaſe to allow me to employ Three hundred Laſcars for a ſhort Time; and that an Addition of One Rupee a Month may be made to their Pay, for Three Months only, which will induce good and active Men to enter into the Service, and to continue in it in Time of Danger. When that arrives I am perſuaded it will then be in vain to attempt to recruit them.

I am, with the greateſt Reſpect,
Sir, &c.
(Signed) Henry Watſon,
Chief Engineer."

" Fort William,
22d July 1778.

" The Board approve generally of the Plan of Defence propoſed by the Chief Engineer; and

" Reſolve, That he be directed to carry ſuch Works, as he has therein propoſed, into immediate Execution, with full and diſcretionary Powers for that Purpoſe, ſubject however to ſuch Variations as the Board, from Time to Time, may think proper to direct; and for this Reaſon,

" Ordered, That the Chief Engineer do keep, and occaſionally lay before the Board (for their Inſpection) a Diary of his Operations in this Buſineſs.

" Ordered alſo, That the Chief Engineer be directed to prepare Plans of all the different Works which he propoſes to conſtruct, with Eſtimates of their Expence, and that he lay the ſame before the Board for their Approbation; and

" As the Board are of Opinion, that it may very much diſtreſs the Inhabitants of Calcutta to give the Order propoſed by the Chief Engineer for prohibiting Artificers from ſerving Individuals immediately;

" Ordered, That an Advertiſement be iſſued from the Public Department to warn them from commencing any new Buildings."

* Sic in Orig.

" The Governor General informs the Board, that there is a Deficiency of caſemated Building *Buildings in the Fort, and recommends, that the Chief Engineer be directed to make Choice of a proper Place or Places for ſuch additional Bomb Proofs as may be conſtructed in the Courſe of the enſuing Seaſon, without impeding the other more immediately neceſſary Operations; and that he lay before the Board of Inſpection Plans and Eſtimates of the ſame.

" Ordered, That the Fort Major be called upon for a Report of all the Barracks and Caſemates in the Fort, of the Uſes to which they are now applied, and a Calculation of the Number of Men which may be quartered in the latter, excluſive of Stores, in the Time of a Siege.

" Reconſidered the 17th Paragraph of the Chief Engineer's Letter, in Conſultation the 20th July.

" For the Purpoſe of executing the Plan here recommended, the Board take into Conſideration the Appointment of a Commodore; and although they approve of Lieutenant Colonel Watſon's Choice of Captain David Cumming for that Truſt, and conceive him amply qualified for the Execution of it, yet they are of Opinion that Objections might be made, and with ſome Juſtice, by the Captains of the Company's Ships, to act under the Command of a Perſon who has not heretofore borne a ſuperior Command; but, as the ſame Objection could not with Propriety be againſt a Naval Officer of conſiderable Standing in His Majeſty's Service, it is

" Reſolved, That Mr. John Richardſon be offered that Appointment.

" The Secretary having conſulted the Europe Captains, in Obedience to the Orders of the Board, upon the Capacity of their Ships for War, and the Time required for preparing them, begs Leave to record the Queſtions which he put to Captains Coxon and Rogers, with their Replies, as follows:

Queſtions to Captain Coxon.

Queſtion 1ſt. What Number of Guns could your Ship mount in caſe of Neceſſity?
Anſwer. Twenty-four Nine Pounders and Twelve Four Pounders.

Queſtion 2d. What Number of theſe Guns have you now on Board?
Anſwer. Twenty Nine Pounders, and Six Four Pounders.

Queſtion 3d. Can your Veſſels carry Guns of a greater Weight, and what?
Anſwer. Our Charter Party expreſſes only Nine Pounders.—I believe the Ship might carry Twelve Pounders in caſe of Neceſſity; but I could not take upon myſelf the Conſequence of deviating from the Charter Party.

Queſtion 4th. What Number of Hands have you on board?
Anſwer. Ninety-five Men and Boys, moſt of them Foreigners; but not French.

Queſtion 5th. What additional Complement of Men would be neceſſary to fight your Ship?
Anſwer. Our Complement ought not, in the Whole, to be leſs than Three hundred Men.

Queſtion 6th. In what Time might your Ship be prepared for War?
Anſwer. In about a Month. She is now ſtripped, and her Cargo not taken out; many Preparations and Alterations are neceſſary to be made.

" Captain Rogers, Commander of the Oſterley, being aſked the ſame Queſtions, gives the like Anſwers to each, except the Second; to which he ſays, his Number of Hands conſiſts of 107 Men, but moſtly Foreigners. Ten Engliſhmen were preſſed out of each of theſe Ships by the Commodore at Madraſs.

" The Secretary having prepared a Letter to Commodore Sir Edward Vernon, after the Diſpatch of thoſe written on the 20th inſtant to Fort Saint George and Bombay, and conceiving, from the Replies of the Europe Captains, that their Ships would not anſwer the original Intention of the Board, now ſubmits the Letter, with Corrections adapted to the preſent Circumſtances, for their Approbation.

" To

" To Commodore Sir Edward Vernon.

" Sir,

" Conſidering that the Naval Force belonging to the French, which is now in India, is ſuperior, particularly in its Complements of Guns, to the Fleet under your Command, and deeming it an Object of the greateſt Importance to the Succeſs of the Britiſh Arms to afford you all the Addition of Strength that it may be in our Power to furniſh, we have ordered the Ship Reſolution, which is capable of mounting 20 Eighteen Pounders, and 22 Nine Pounders, and the Charlotte of the ſame Capacity, which we have taken up for that Purpoſe, to be fitted out and prepared with all poſſible Expedition for War, intending, as ſoon as they ſhall be ready to ſail, which we expect will be by the End of Auguſt at fartheſt, to ſend them to join the Fleet to act under your Orders; and to be at your Diſcretion and Diſpatch, as long as you have Occaſion for their Services. To Sir Edward Vernon.

" We have alſo deſired the Preſident and Council at Bombay to cauſe the Britania, another Ship belonging to the Company, to be pierced for as many Guns as ſhe will carry, and to conſign her to you in like Manner, and for the ſame Period of Time.

" We hope, with this Increaſe to your Armament, that you may not only be in a Situation to cope with any Force which the French may be able at preſent to collect together, but to provide for ſuch other Services as in your Judgment may be conducive to the Security of the Company's Poſſeſſions in India.

" Fort William,
24th July 1778.

" We are, &c."

" Mr. Francis.—I diſapprove of the Letter to Sir Edward Vernon, becauſe I think it not improbable that Events may oblige us to keep theſe Ships for the Defence of the River, and becauſe I am convinced that they cannot be manned without taking away all the Europeans, whoſe Service here may be eſſentially neceſſary, as well to ſupply the Marine in the River, as Recruits for the Artillery Corps. Mr. Francis.

" The Board approve the above Letter to Sir Edward Vernon, and order that it be written fair, and diſpatched.

" The Governor General lays before the Board the following Letter from the Commandant of Artillery.

" To the Honourable Warren Haſtings Eſquire, Governor General.

" Sir,

" 1. Having received the Honor of your Commands to give my Opinion on the Defence of Fort William, and the Proportion of Stores requiſite for it, I ſhall beg leave to confine myſelf to the Military Part only, leaving what concerns the Works and Engineers Department to the Chief Engineer, who, undoubtedly, can give you the beſt Information on this Subject. Commandant of Artillery the 18th July.

" 2. In a former Letter, dated the * I gave it as my Opinion that the Garriſon ought to conſiſt of the following Number: Of Europeans, one complete Regiment on the preſent Eſtabliſhment, Five Companies of Artillery, Three hundred Cavalry if to be had, but if not, I preſume the Settlement would afford Three hundred Men for other Services, and Fifty Miners. The total Force of Europeans, according to this, 2038; and nearly this Number, I imagine, it is in the Power of Government to get, if not the Whole, of Natives. I propoſed Eight complete Battalions of Sepoys, or to that Amount, Ten Companies of Native Artillery, Eight hundred Pioneers, and Five hundred Artificers, beſides Surgeons and the Attendants of the Hoſpitals, Servants, Slaves, and Women. * Sic in Orig.

" 3. The Subject growing ſtill more ſerious to me than it was when I wrote the former Letter, I have endeavoured to put Things, as it were, in Motion, and by ſo doing think I made ſome ſmall Miſtakes. I therein ſtated the Pioneers at 800, I think they ought to be 1000; but they more immediately belong to the Engineer Department, for whom I mean the 500 Artificers, and conſequently I ought to have ſaid, they were to be in Addition to thoſe already on the Eſtabliſhment. With my own Artificers, and thoſe in the Commiſſary's Department, all that belongs to the Cannon and Muſquetry might be performed; with thoſe I propoſe for the Engineer, I preſume he would be able to keep the Platforms in Order, and to perform his other Services.

" 4. But with Reſpect to the Artillery, I find I fall ſhort conſiderably. I ſhall therefore firſt endeavour to ſhew what they will have to do in the Siege: Suppoſing the Enemy ſhould attack one of the Demibaſtions, the Guns of one Side of a Redoubt, Part of One Face of a Redan, One Face of the Counterguard, One Face of the Lunette, the Two Faces of a Ravelin, and the Face of a Baſtion would all bear upon the Attacks, and all the Guns would be employed, more or leſs, every Day. Their Number is 72, and may be more. Theſe I purpoſe employing during the Day only, and I ſuppoſe them to fire daily 300 Shot, which is a very moderate Proportion. In the Covert Way before theſe Works I purpoſe placing the ſmaller Mortars, theſe to fire Night and Day, and to expend about 400 Shells daily. In the Night I purpoſe firing from the Glacis with Field Pieces, as long as the Enemy are out of Reach of Muſquet Shot from the Barbets, and from Carriages on Slides to be raiſed within the Covert Way when they ſhall be nearer; and theſe Guns to be Twelve and Six Pounders, to fire between 300 and 400 ſhot in the Night, and ſometimes more, and generally One of Caſe to Two of Round.

" 5. For

" 5. For theſe Duties it is evident, That I cannot allow leſs than Two Europeans to a Gun and Six Native Artillery, which for the Attacks will therefore require Europeans 144, Natives 432; beſides theſe, there muſt of neceſſity be others in the different Works; for Inſtance, in each of Four Ravelins, and in the other Redoubt not attacked, Nine; in the Counterguard Thirteen; and the Remainder of the Redans not attacked, Thirty-one, in all, 89 Europeans, and 267 Natives, which make up the Numbers, Europeans on Duty 233, Native Military 693; and for Three Reliefs it would require, Europeans 699, Native 2099, excluſive of Officers.

" 6. But I am juſtly apprehenſive, that were Government inclined to raiſe the requiſite Number of Artillery, they could not obtain ſo many Europeans; I will, therefore, recommend what I humbly conceive to be obtainable, if Government ſhould be pleaſed; viz. European Artillery 500, excluſive of Officers, Native Artillery Fifteen Companies, according to the Scheme of a Company annexed, and marked N° 2; with theſe and a ſmall Aſſiſtance from the Infantry, as is uſual on like Occaſions, I think I could undertake to perform all the Artillery Duties of the Siege; with leſs I could not be anſwerable for it. And, indeed, the Drudgery, if the Duty were performed, would be inſupportable in this Climate, and in that Seaſon in which it is moſt likely the Enemy would come.

" 7. From what I have ſaid, the Quantity of Shot and Powder is eaſily computed, and will be found to be the ſame as I have ſtated it; but I muſt premiſe, that I ſuppoſe we ſhould be attacked by Shipping at leaſt Thrice in the Siege, and I have provided 105 Rounds for each of 90 Guns, which, on ſuch Occaſions, would be employed, and which muſt of Courſe be worked by thoſe Artillery who ſhould not be on the Duties of the Front attacked.

" 8. The Quantity of Powder is not however all that would be wanted; the Chief Engineer would uſe it in Mines, but then I conceive he would not uſe more than would make up the Grand Total 6500 Barrels.

" 9. There is another Subject I muſt touch upon, it is the Inſufficiency of the Caſemates; according to the Proportion I propoſe for the Garriſon, there will be at leaſt 15,000 in the Fort. I will ſuppoſe only the Garriſon Part to be entitled to Caſemates, and of theſe only One Third under Cover at a Time, then will there be 3500 Men who muſt be ſecurely lodged; the Officers of the State, thoſe of the Garriſon muſt have conſtant Lodgements, and the Hoſpital muſt be ſecure; but beſides all this, all Proviſions and Stores liable to be deſtroyed by Bombs, and all Workſhops for the Duties of the Garriſon ought to be equally ſecured. I therefore take the Liberty to recommend an Addition to theſe neceſſary Buildings: The proper Place for them it is the Engineer's Duty to point out. However I may, without invading his Department, ſay, I think the Curtains ſeem to me to be the moſt natural Place for them.

" 10. The Magazines are capable of holding all the Powder I require, or even more; but then the new one and all thoſe in the Outworks are ſo very damp as to be at preſent unfit for Service.

" 11. The Liſt which accompanies this contains all the Eſſentials that I ſhould want during a Siege; ſome petty Articles which might be made out of the Materials may be omitted, but I believe none of Conſequence. I omit the 12 Pounders which were condemned, the Neceſſity might make us riſk the uſing them, and I have confined the Number of Guns to what we have, laying aſide the Conſideration of what we ought to have.

" 12. I can only add, that I have made my Calculations from my own Judgement and what I have ſeen of Service, for I am not poſſeſſed of any Tables digeſted by Men of Eminence in this Buſineſs. I have indeed, ſince I made out my Proportion, ſeen thoſe which Captain Kydd tranſlated from Le Blond, and was very happy to find ſo cloſe an Agreement in the main Articles. It is true the Numbers do not agree, but then the Suppoſitions are different; our Works are calculated chiefly for a Defence by Cannon, and we lie expoſed to Attacks by Ships, neither of which were the Suppoſitions of the Author before mentioned. My Numbers and Quantities muſt of Courſe be greater, as they will be found if compared.

" 13. Having in the former Part of this Letter ſhewn what Number of Artillery would be wanted for the Defence of this Garriſon, I muſt, to conclude, beg Leave to obſerve, that there muſt alſo be Artillery with the Part of the Army not within the Fort, for which there will be no great Allowance, if I recommend Two Companies of Europeans, and Six of Native Artillery. This however would, I preſume, be nearly ſufficient. It will therefore, I hope, be worthy of Conſideration, whether this ſo uſeful a Corps ought not to be augmented.

" 14. I muſt obſerve, that whilſt the Laſcars are kept on the preſent low Pay, it is impoſſible for me to keep them together as they ought to be, ſeeing their Duties very laborious and their Pay inadequate. I already find Numbers deſerting, and have ever found them deſirous of quitting the Artillery to entertain in the Seapahs, if ſufficiently high to be therein admitted; ſo that, although I have uniformly endeavoured to collect a Body of Men fit for the Artillery Duties, my Labours have been in vain; but were their Pay the ſame as Seapahs, I ſhould not fear quickly having them as fit for Duty, and as perfect in Diſcipline as the Europeans I have the Honor to command.

" I am, with the greateſt Reſpect, &c.

" Fort William,
10th July 1778.

T. D. Pearſe,
Lt Col^l Comm^t Artillery."

" Ordered,

" Ordered, That the Inclosures in the above Letter be entered after the Consultation.

" Resolved, That Two additional Companies of European Artillery be formed, and that the Commander in Chief be consulted upon the Expediency of raising them by Draughts from the European Regiments.

" Resolved, That Fifteen Companies of Native Artillery be immediately raised, according to the Plan N° 2, entered after the Proceedings recommended by Leiutenant Colonel Pierse.

" Read, the following Letter from Brigadier General Stibbert.

" Honble. Sir, and Sirs,

" I beg Leave to inform you, that I shall be ready on Monday next to lay before your Honble. Board, agreeably to your Direction, a general Plan for the Disposition of the Army, and the Defence of the Provisions. As the Subject was of the utmost Importance, I deemed a close Investigation of all its Parts absolutely requisite, and I wished to form it upon the most mature Deliberation, that I might be enabled to deliver it in as complete as possible; I have therefore to hope, that your Honble. Board will be pleased to do me the Justice to believe, that no unnecessary Delay has been made on my Part. Gen. Stibbert, 24th July.

" Fort William, July 24th, 1778.

" I have the Honor to be, &c.
(Signed) G. Stibbert."

" The Governor General.—As the Commander in Chief has promised to furnish us with a Plan for the Defence of the Provinces on Monday next, and as this is all that remains of the Materials which I understood it was proposed to collect, for forming the general Plan and Distribution of our Forces, I shall hope that the same may be completed with decided Resolutions on Monday next. I did mean to suspend every Declaration of my own Opinion until we should be prepared by such a Decision; but as a Plan of Defence has already been recommended, and as it is my Wish to adopt such Part of it as shall appear to me consistent with the general Line which I deem indispensably necessary for that Purpose, in the Hope that the same candid Allowance will be made to mine, I will here summarily mention the Strength and Distribution of it, which I mean to recommend as necessary and sufficient for the Defence of the Provinces against every probable Enemy, leaving the Reasons and Detail to a future Opportunity. The Governor General.

" For the Province of Owde, and the new acquired Territories of our Ally the Vizier, I would propose to leave the Temporary Brigade in its Station, to complete the First Brigade to its proper Strength, including the Garrison of Cheenar; and for the Protection of our own Provinces, to bring down all our remainining Strength into Bengal. The Governor General's Propositions.

" Two complete Brigades to be employed in the Service immediately dependent on the Presidency.

" The Second Brigade remaining for the present at Bunampore, and an Army of Observation, consisting of Three Battalions of Sepoys, to defend the Southern Districts, and especially the Subau Ruha, which is one of the practicable Avenues into Bengal, for which Purpose Three more Battalions should be raised. This Disposition I now recommend to the Consideration of the Gentlemen of the Board, previous to our next Meeting.

" Mr. Francis.—I move, that it may be resolved that the Board will take into Consideration the State of the Treasury on Monday next. Mr. Francis.

" Resolved accordingly.

" Warren Hastings,
Rich[d] Barwell,
P. Francis." (*a*)

To prove that the Rajah Chiet Sing was called upon to give his Assistance on the above Occasion,

Read, from Book 15, already delivered in, the following Letter from the Governor General to the said Rajah, beginning at Page 32 of the same Book.

" To Rajah Chite Sing, D°. * (*b*) * Sic in Orig.

" War having been declared between the Courts of Great Britain and France, by the former, on the 18th of March, or 18th of Suffer, and by the latter on the 30th of March, or 1st of Rubbee-ul-awal 1192 Nejerll, I am to request of you, in my own Name and that of the Board, as a Subject of the Company bound to promote their Interest on every Occasion, to contribute your Share of the Burden of the present War, which will equally affect your Interest and ours. It has been determined by the Board that an Establishment of Three regular Battalions of Sepoys, to be commanded by British Officers, be raised and maintained at your Expence, and employed on such Service as the Situation of Affairs may require. I have no Doubt but, regarding this Measure equally

(*a*) See Appendix, N° CCXIX.

(*b*) The Date appears, upon Reference back, to be 11th July 1778.

conducive

conducive to your own and the Company's Intereſt, you will, with the greateſt Readineſs comply; and I hope you will intimate your Conſent without Delay."

To prove that Communication was made to the Rajah Cheit Sing of the above Demand of Three Battalions of Sepoys being commuted for a pecuniary Subſidy of Five Lacks of Rupees,

Read, the following Letter from Mr. Haſtings, the Governor General, to the ſaid Rajah, beginning at Page 53 of the ſame Book.

* Sic in Orig.

" To Rajah Chite Sing, D°. * (*a*)

" I have been favoured with your Letter, intimating your Conſent to the Requiſition made to you by this Government as a Subject of the Company, to bear a Part of the Expence of the preſent War; I am pleaſed with your ready Compliance; of this, indeed, I could have no Doubt, as your Intereſt is equally concerned with the Company's in the Succeſs of it. The Expence of keeping up Three regular Battalions has been calculated, and been found to amount to Five Lacks of Rupees per Annum, at which Rate your annual Subſidy has been accordingly fixed. I am therefore to deſire, in the Name of this Government, that you will pay immediately to Mr. Thos Graham the Sum of Five Lacks of Muchledar Rupees. Thus you will perform your Duty to the Company, and ſecure their Favor and Support."

The Counſel for the Defendant ſtated, That at the ſame Time the laſt mentioned Letter was written by the Governor General to the Rajah Cheit Sing, a Letter was alſo written to the Reſident at Benares, requiring him to call upon the Rajah for the Five Lacks of Rupees, and that they ſhould next read the Reſident's Anſwer to that Letter.

Read, from Book 511, already delivered in, the following Extract of a Conſultation of the 5th October 1778, beginning at Page 507 of the ſame Book.

" Fort William, 5th October 1778.

Pub. Dept. Monday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis, and Edward Wheler, } Eſquires.
Mr. Barwell indiſpoſed.

" Read, Two Letters from Mr. Graham, as follows:

" Honble. Sir and Sirs,

" I have been honoured with the Receipt of your Letter of the 17th inſtant, informing me of Rajah Cheyte Sing having, by Means of his Vakeel, agreed to pay a Subſidy of Five Lacks of Mutchlidar Rupees, as his Share for the Support of the Burthen of the preſent War, and for the Purpoſe of defraying the Expence of Three Battalions of Seapoys, reſolved to be raiſed and maintained at his Charge; alſo acquainting me of your having ordered the Rajah to pay this Sum immediately into my Hands, and directing me to receive the ſame from him, and to remit the Amount of it to the Preſidency.

" In conſequence of theſe Orders I have called upon the Rajah for Payment of Five Lacks of Mutchlidar Rupees, which I ſhall accordingly receive, and, agreeable to your Orders, remit to the Preſidency.

" As the Exchange on Bills between this and Calcutta is daily riſing, and is at preſent at the exorbitant Rate of 10½ per Cent. and as I am deſirous the Company ſhould ſuſtain as little Loſs as poſſible by the Remittance of this Sum, I beg to be informed, whether you would prefer its being ſent down under Inſurance.

" Benares, the 29th Auguſt 1778.

(Signed at the End of the Letter)
" Thomas Graham, Reſident.

And at the End of the Conſultation,
" Warren Haſtings,
Rich[d] Barwell,
P. Francis,
Edw[d] Wheler." (*b*)

(*a*) The Date appears, by Reference back, to be Auguſt 15, 1778.

(*b*) Vide Appendix, N° CCXX.

To

To prove that the evaſive Conduct of the Rajah Cheit Sing was complained of by the Reſident,

Read, from the ſame Book, the following Extract of a Conſultation of the 28th September 1778, beginning at Page 362 of the ſame.

" Fort William, 28th September 1778.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Richard Barwell, Philip Francis, Edward Wheler, } Eſquires.

Pub. Dept. Monday.

" Read, the following Letters from Mr. Graham, Reſident at Benares.

" I think it neceſſary to inform you, that notwithſtanding Seventeen Days are elapſed ſince your Orders arrived here, directing the Rajah to pay into my Hands the Subſidy he had agreed to pay of Five Lacks of Mutchilidar Rupees, he has not yet paid me one Rupee, and offers as a Reaſon his Inability to diſcharge the Whole at once; and requeſts me to receive it by monthly Payments; your Honble. Board Orders authorizing nothing of the Kind, I have acquainted him that it is impoſſible for me to come into his Requeſt, and have repeated my Requiſition, which I have indeed been urging every Day ſince the Receipt of your Orders, to pay me the whole Amount as ſpeedily as poſſible.

Reſident at Benares.

" I have the Honour to be, with the higheſt Reſpect,
Honble. Sir, and Sirs, &c.
" Benares, the 14th September 1778. (Signed) Thos Graham, Reſident.

(Signed at the End of the Conſultation)
" Warren Haſtings,
Richd Barwell,
P. Francis,
Edwd Wheler." (*a*)

To prove that the Rajah Cheit Sing paid only One Half of the Five Lacks of Rupees by the 22d September 1778,

Read, from the ſame Book, the following Extract of a Conſultation of the 5th October 1778, beginning at Page 510 of the ſame.

" Fort William, 5th October 1778.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Philip Francis, and Edward Wheler, } Eſquires.
Mr. Barwell indiſpoſed.

Pub. Dept. Monday.

" Honble. Sir, and Sirs,

" I have the Pleaſure to acquaint your Honble. Board, that laſt Night the Rajah made me a Payment of Fifty thouſand Rupees in Part of the Subſidy of Five Lacks, he has promiſed to ſend me as much more Tomorrow or next Day; and if the Whole is not diſcharged very ſoon, it ſhall not be owing to any Want of Exertion on my Part to perfect the Execution of your Orders.

Mr. Graham, 22d Sept.

" Benares, 22d September 1778,
I have the Honor, &c.
(Signed) Thos Graham, Reſident.

(Signed at the End of the Conſultation)
" Warren Haſtings,
Richd Barwell,
P. Francis,
Edwd Wheler." (*b*)

(*a*) Vide Appendix, N^{o} CCXXI.

(*b*) Vide Appendix, N^{o} CCXX, ſupra.

To

To ſhew that the Rajah Cheit Sing did not perform the above-mentioned Promiſe, and that freſh Complaints againſt him were ſent by the Reſident,

Read, the following Extract of a Conſultation of the 19th of October 1778, beginning at Page 673 of the ſame Book.

" Fort William, 19th October 1778.

Pub. Dept. Monday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Richard Barwell, Philip Francis, Edward Wheler, } Eſquires.

Mr. Graham.

" Honble. Sir, and Sirs,

" I did myſelf the Honor of addreſſing your Honble. Board on the 22d ultimo, to inform you that I had received from the Rajah Fifty thouſand Rupees, in Part Payment of the Subſidy of Five Lacks which he had agreed to pay the Company, and that I was promiſed a further Payment of Fifty thouſand Rupees the next or following Day.

" That Period and Three Days more having elapſed without hearing any Thing either from the Rajah or his Servants regarding the promiſed Payment of Fifty thouſand Rupees, I judged it neceſſary to remind the Rajah thereof by Letter, as well as to recommend to him a ſpeedy Diſcharge of the Remainder. This Mode of Application having ſeveral Times repeated unſucceſsfully, I deemed a perſonal Interview not only indiſpenſable but highly conſiſtent with my Duty, on which Occaſion I verbally demanded of him, in the Name of the Company, Payment of the Balance of the Subſidy; in Reply to which he acquainted me that he would pay no more here, but would ſend the whole remaining Sum of Rupees 4,50,000 to his Vakeel at Calcutta, who would pay it there. Finding him determined in this Reſolution, I deſired he would furniſh me with ſome Teſtimony thereof, either by an Addreſs to your Honble. Board, or, as it is more cuſtomary, to the Governor General, that I might tranſmit it to him; but this he poſitively refuſed me.

" Theſe Circumſtances I have thought it my Duty to inform you of, that you may honour me with your Commands thereon; likewiſe as to the Manner in which you would chuſe I ſhould remit the Fifty thouſand Benares Sicca Rupees that have been paid me.

" Benares, 7th October 1778.

I have the Honour to be, &c.
Thomas Graham, Reſident.

(Signed at the End of the Conſultation)
" Warren Haſtings,
Rich[d] Barwell,
P. Francis,
Edw[d] Wheler." (*a*)

The Counſel for the Defendant informed the Houſe it was already in Evidence, that upon the 28th of September 1778, the Board found it neceſſary to make a more peremptory Demand upon the Rajah Cheit Sing for the Payment of the above Sum of Money; and ſtated, They ſhould next read the Letter written to him by the Governor General upon his ſhewing a Deſign to liquidate the Payment of it at laſt.

Read, from Book 90, already delivered in, the following Letter from the Governor General to the Rajah Cheit Sing, dated the 11th October 1778, beginning at Page 50 of the ſame Book.

" To Rajah Chite Sing, written the 11th October 1778.

" I have received your Letter containing Aſſurances of your Fidelity and Attachment, and intimating that, conformably to my Directions, you had aſſented to the Payment of Five Lacks of Rupees, and communicated your Conſent in a former Arzie, and that, afterwards being informed it was my Pleaſure that the Whole ſhould be paid at one Time in Calcutta, you would remit the Whole in the Space of a Week, with other Particulars which I underſtand.

" I am pleaſed at the Intimation of your Aſſent to my Deſire reſpecting the Mode of Payment of the aforeſaid Sum, although it arrived ſome what late, and I doubt not but you will faithfully diſcharge your Promiſe, by making the Remittance to Calcutta at the ſpecified Time. Whilſt you continue faithfully and zealouſly attached to the Company, you may be aſſured that every Meaſure will be adopted which may promote your Intereſt and Proſperity: Know me ever intereſted in your Welfare. For further Particulars I refer you to your Vakell Sheik Ally Nuchey."

(*a*) Vide Appendix, N° CCXXII.

To ſhew that the Payment was not in Fact liquidated till the 10th of October following,

Read, from Book 511, already delivered in, the following Extract of a Conſultation of the 12th October 1778, beginning at Page 567 of the ſame Book.

" Fort William, 12th October 1778.

" At a Council; Preſent, Pub. Dept. Monday.

The Honble. Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Mr. Barwell indiſpoſed.

" The Secretary lays before the Board the following Note from the Governor General. Governor General to the Secretary.

" Sir,

" I herewith ſend you Four Bills of Exchange this Inſtant delivered to me by Shekh Ally Nuckee, the Vakell of Rajah Cheit Sing, being Four Lacks and a Half of Rupees, which with Fifty thouſand Rupees paid to Mr. Graham, complete the Sum of Five Lacks required of the Rajah for the extraordinary Expences of this Year.

" Saturday Morn. 10th October 1778.

I am, &c.
(Signed) Warren Haſtings.

(Signed at the End of the Conſultation)

" Warren Haſtings,
P. Francis,
Edwd Wheler."

To prove the Inſtructions given to the Reſident to refrain from the Execution of the former Orders, upon the Receipt of the above Sum of Money,

Read, a further Extract from the ſame Conſultation, beginning at Page 568 of the ſame Book.

" Fort William, 12th October 1778.

" At a Council; Preſent,

The Honble. Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Mr. Barwell indiſpoſed.

" To Mr. Graham.

" Sir,

" Rajah Cheyte Sing has, by Means of his Vakeel, remitted Bills of Exchange to us for the Sum of Four Lacks and Fifty thouſand Rupees, which, with the Amount paid into your Hands, will complete the Subſidy of Five Lacks required as his Proportion of the Burthen of the War with France for the preſent Year: We therefore direct that you refrain from the Execution of the Orders contained in our laſt Letter.

" Fort William, the 12th October 1778.

We are, &c.
" Warren Haſtings,
P. Francis,
Edwd Wheler."

The Counſel for the Defendant informed the Houſe they ſhould cloſe their written Evidence on the Demand of the Firſt Year, with ſhewing that the Khelaut, a cuſtomary Honour, was beſtowed upon Cheit Sing notwithſtanding his former Diſobedience, and that the ſame was accompanied with an Admonition to future Obedience.

Read, from Book 512, the following Extract of a Conſultation of the 7th of December 1778, beginning at Page 591 of the ſame Book.

" Fort William, 7th December 1778.

" At a Council; Preſent, Pub. Dept. Monday.

The Honble. Warren Haſtings, Governor General, Preſident;
Richard Barwell, Philip Francis, Edward Wheler, } Eſquires.

" Honble. Sir, and Sirs,

" Rajah Cheyte Sing having pitched upon this Day as a lucky one to receive the Honour of the Khelaut, I accordingly inveſted him with one in the uſual Form, and delivered to him at the ſame Time your Honble. Board's Farrickhatty, or Releaſe for his laſt Years Tribute. I did not

fail on this Occaſion to remind him how much a Continuation of ſuch Marks of your Favor depended upon his regular Adherence to his Engagements with the Company.

" I have, in compliance with the Orders contained in your Honble. Board's Letter of the 22d October, furniſhed Rajah Cheyte Sing with Tranſlate of the Depoſitions ſent me incloſed, concerning the Murder of the Subedar belonging to Captain Oſborne's Battalion; * have acquainted him of its being your Deſire that the Offenders be apprehended and brought to Juſtice.

* Sic in Orig.

" Benares, 9th Nov. 1778. " I have the Honour to be,
Thos Graham." (a)

(No Signatures at the End of the Conſultation.)

The Counſel for the Defendant ſtated, That having now cloſed their written Evidence on the Subject of the Demand of the Firſt Year, they ſhould proceed to ſhew that on the 19th of July, in the Year following, it was reſolved to repeat the Demand; for which Purpoſe they ſhould read an Extract from a Conſultation of that Date already in the Minutes, but not read by the Managers for the Commons;

Read, the ſame, from Page 88 of the printed Minutes.

" Agreed, That the Governor General be requeſted to write to Rajah Cheit Sing, acquainting him that the Period of One Year, for which he agreed to pay Five Lacks of Mucklidar Rupees, as his Share of the Burthen of the War with France, on the 17th Auguſt 1778, is expired; and as the Continuation of the War makes it ſtill neceſſary to maintain the ſame Eſtabliſhment of Troops for the Defence of the Country, the Board deem it requiſite that he ſhould at this Time contribute the further Sum of Five Lacks of Mucklidar Rupees, as his Share of the Charge for the current Year; Mr. Graham has therefore been directed to apply to him for the ſame.

" Warren Haſtings,
P. Francis.
Edward Wheler."

To ſhew that the Governor General did accordingly write to the Rajah Cheit Sing in conſequence of the above unanimous Reſolution,

Read, from Book 516, already delivered in, the following Letter from the Governor General to the Rajah Cheit Sing, dated the 21ſt July 1779, beginning at Page 35 of the ſame Book.

" To Rajah Cheit Sing, written the 21ſt July 1779.

" 44. The Term of your Engagement for the Payment of an annual Subſidy as your Share of the Expence of the War being expired, and the War ſtill continuing, and the ſame Force being neceſſary to be kept up, I am therefore to deſire that you will pay to Mr. Thomas Graham the further Sum of Five Lacks of Muchledar Rupees as your Proportion for the preſent Year. Mr. Graham has accordingly Orders to receive it from you, and it is neceſſary that you do not delay to pay it to him.

The Counſel for the Defendant ſtated, That they ſhould next read an Extract from a Conſultation already on the Minutes, but not read by the Managers for the Commons, to ſhew that, notwithſtanding the above Injunctions againſt Delay, freſh Complaints were made by the Reſident on the 16th of Auguſt following of the Rajah's Conduct in this Reſpect.

Read, the ſame, from Page 88 of the printed Minutes.

Secret Dept. Thurſday.

" Fort William, 26th Auguſt 1779.

" At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell,
Philip Francis,
Edward Wheler,
} Eſquires.
Lieutenant General Sir Eyre Coote, K. B.

" Read and approved the Proceedings of the 16th Inſtant.

" Read the following Letters from Mr. Thomas Graham.

" Honourable Sir, and Sirs,

" Immediately on the Receipt of your Honourable Board's Letter of the 19th ultimo, directing me to demand of Rajah Cheyt Sing Payment of the Sum of Five Lacks of Muchlidar

(a) Vide Appendix, N° CCXXIII.

Rupees,

Rupees, as his annual Proportion of the Burthen of the preſent War with France, I waited upon him, and at the ſame Time that I communicated the Orders of your Honourable Board to myſelf, I delivered to him the Honourable the Governor General's Letter to him in Confirmation thereof. He then gave me for Anſwer, that he had not the Ability to diſcharge the Demand. As this was ſimilar to the Anſwer he gave me when I demanded Payment of his Subſidy for the laſt Year, I did not conſider it as a definitive one, and therefore continued in renewing my Demand every Second Day; finding, however, that he holds to the Terms of his firſt Reply, and ſeeing no Probability of a ſpeedy Change in his Sentiments, I am unavoidably reduced to the Neceſſity of applying for your Honourable Board's further Inſtructions on this Head. Until they arrive, I ſhall follow the Orders already ſent me, by repeating my Requeſt for Payment every Second or Third Day.

" Benares, the 16th Auguſt 1779.

I have the Honour to be, &c.
(Signed) Tho' Graham, Reſident.

(Signed at the End of the Conſultation)

" Warren Haſtings,
P. Francis,
Edwd Wheler."

The Counſel for the Defendant informed the Houſe, that in conſequence of the above Letter from the Reſident, the Firſt Meaſure of Compulſion was taken againſt the Rajah Cheit Sing, and they ſhould proceed to ſhew, that it was notified to him by the Governor General, in order to prevent the Neceſſity of purſuing it.

Read, from Book 23, already delivered in, the following Letter from the Governor General to the Rajah Cheit Sing, dated Auguſt 28, 1779, beginning at Page 41 of the ſame Book.

" To Rajah Chite Sing, written the 28th Auguſt 1779.

" 25. I have received your Letter in Reply to the one I wrote to you, requiring the Payment of Five Lacks of Rupees as your Share for the preſent Year of the Expences of the War, and am greatly aſtoniſhed at your Refuſal and pretended Plea of Inability, it being very inconſiſtent with the Duty you owe to the Company. I now repeat my Demand, that you do, on the Receipt of this, without Evaſion or Delay, pay the Five Lacks of Rupees into the Hands of Mr. Thomas Graham, who has Orders to receive it from you, and Authority, in caſe of your Refuſal, to ſummon the Two Battalions of Sepoys under the Command of Major Carnac, to Benaras, that Meaſures may be taken to oblige you to a Compliance; and in this Caſe, the whole Expence of this Corps from the Time of its March will fall on you."

To prove the Reſident's ineffectual Endeavours to obtain Compliance from the Rajah, notwithſtanding his frequent Applications to him for that Purpoſe,

Read, from Book 55, already delivered in, the following Extract of a Conſultation of the 13th of September 1779, beginning at Page 443 of the ſame Book.

" Fort William, 13th September, 1779.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Edward Wheler Eſquire,
Lieutenant General Sir Eyre Coote K. B.
Mr. Barwell and Mr. Francis indiſpoſed.

" In my Addreſs of the 15th ultimo I acquainted your Honble. Board with my Proceedings to that Time regarding the Demand of Five Lacks, made on the Rajah as his Proportion of the Burthen of the War with France; ſince then I have, as I informed your Honble. Board I ſhould, renewed my Application for Payment, either verbally or by Letter, every Second or Third Day, but his Anſwer has been uniformly the ſame, that he has not the Ability to diſcharge it. I have, excluſive of theſe repeated Applications, alſo uſed every Argument in my Power to convince him that, as a Subject of Government, it was a Duty inſeparable from his Allegiance to afford every Aſſiſtance it might require whilſt it was engaged in a War, and that a Denial under ſuch Circumſtances was never admitted of.

" I ſhall continue to impreſs him with thoſe Sentiments, and to urge him to make Payment, until I receive the further Inſtructions of your Honble. Board for my future Conduct.

" I have the Honour to be, &c.
(Signed) Thos Graham, Reſident.

(Signed at the End of the Conſultation)

" Warren Haſtings,
Edwd Wheler."

To

To ſhew that the Reſident informed the Board of his having communicated to the Rajah the Orders he had received from the Board, to ſend for Major Carnac's Detachment,

Read, from Book 112, already delivered in, the following Extract of a Conſultation of the 29th September 1779, beginning at Page 628 of the ſame Book.

" Fort William, the 29th September 1779.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Richard Barwell, and Edward Wheler, } Eſquires.
Mr. Francis indiſpoſed.
Sir Eyre Coote gone to review the Army.

" The Proceedings of the 16th inſtant read and approved.
" Read the following Letters from Mr. Graham, Reſident at Benares.

" Honble. Sir, and Sirs,

Mr. Graham, 10th Sept.

" I had laſt Night the Honor of receiving your Letter of the 26th ultimo, directing me to repeat the Claim which your Honble. Board had thought proper to make of Rajah Cheite Sing for Five Lacks of Rupees, as his annual Proportion of the Expence of the preſent War, and empowering me, in caſe of his perſiſting in refuſing Payment, to require Major Carnac with Two Battalions of Seepoys to march to this Place, and to wait your further Orders.

" Having alſo received the Honble. the Governor General's Perſian Letter to the Raja on the Subject, I have ſent it to him with a Letter from myſelf, requiring his immediate Compliance with the Orders contained therein, and deſiring that he would forthwith ſend a Perſon properly qualified to make Payment to me of the Five Lacks of Rupees; and further to ſend me a Reply to the Governor General's Letter. I ſhall immediately do myſelf the Honour to addreſs you on the Receipt of his Anſwer, which I flatter myſelf will prove ſatisfactory, and that I ſhall not be under the Neceſſity of making uſe of the diſcretionary Power which your Honble. Board have been pleaſed to lodge in me in order to compel him to Payment.

" Benares, the 10th September 1779.

I have the Honour to be, &c.
(Signed) Tho' Graham, Reſident.

(Signed at the End of the Conſultation)
" Warren Haſtings,
Edwd Wheler." (*a*)

To ſhew that the Reſident continued to make freſh Complaints of the Rajah's Conduct,

Read, a further Extract from the ſame Conſultation, beginning at Page 629 of the ſame Book.

" Honble. Sir, and Sirs,

" I have this Day received an Anſwer from Rajah Chite Sing to the Letter which I informed your Honble. Board I had written to him on the 10th, requiring his Compliance with your Orders, wherein he ſends me an Anſwer to the Governor General's Letter, which I have tranſmitted to him, and acquaints me with his having conſented to the Payment of the Five Lacks of Rupees. As he ſtill holds forth his original Plea of Inability, I have every Reaſon to apprehend he will be very dilatory in his Payments, I beg therefore to be favoured with your Honble. Board's Orders as to the Conduct which in ſuch Caſes I muſt obſerve towards him.

" Benares, the 12th September 1779.

I have the Honor to be, &c.
(Signed) Thos Graham, Reſident." (*b*)

To ſhew that repeated Orders were ſent to renew the Demand upon the Rajah Cheit Sing on the Part of the Company,

Read, a further Extract from the ſame Conſultation, beginning at Page 630 of the ſame Book.

" Honble. Sir, and Sirs,

" I have herewith the Honor to tranſmit you Twelve Bills of Exchange for the Sum of Calcutta Sicca Rupees 1,85,145 6 16 1, drawn in Favor of the Honble. Company, as per accom-

(*a*) Vide Appendix, N° CCXXIV.

(*b*) Vide ſupra Appendix, ibid.

panying Invoice, being on Account of Rajah Chite Sing's Kiſt, due the 4th inſtant, and in Part Payment of his annual Tribute.

" Although Four completed Days are now elapſed ſince I had the Honour of informing you of the Rajah's having conſented to the Payment of the Five Lacks of Rupees, and although I ſent him a ſuitable Reply to the Letter he wrote me on the Occaſion, and at the ſame Time repeated my Requeſt for a Perſon being ſent to me ſufficiently qualified for diſcharging the Amount, no one has yet come, nor has any Money been paid me; on the contrary, through his Vakeel, he has ſolicited to be indulged with Time, but without ſpecifying any Period, which leaving Room for no other Anſwer than to deſire him to conform to the Orders he had received from your Honble. Board, through the Channel of the Governor General, I have ſent a Perſon to attend at his Durbar to require his ſpeedy Compliance therewith.

" Benares,
the 16th September 1779.

I have the Honour to be, &c.
(Signed) Tho' Graham, Reſident." (*a*)

Read, a further Extract from the ſame Conſultation, beginning at Page 634 of the ſame Book.

" Governor General.—As it appears by the laſt of the above Letters from Mr. Graham, that Rajah Cheyte Sing, whoſe preſent Ability to diſcharge the full Amount of the Sum demanded of him cannot be doubted, is endeavouring to amuſe our Reſident with Delays; and as his Reply, though it profeſſes an Intention of Compliance with his Claim, is a plain Evaſion of it; I think Mr. Graham, according to the Spirit of the Orders he had received, ought to have required the immediate March of Major Carnac's Detachment to enforce Payment from the Raja; but as he has omitted the Act in this Manner, and as it appears to be his Intention to wait for the further Orders of the Board, I move that the Contents of his Letter be imparted to the Commander in Chief, and that he be deſired to ſend Orders forthwith to Major Carnac to march without Delay in conformity to his former Inſtructions, giving Notice of the Day on which he ſhall move from his preſent Station to Mr. Graham; that the Expences of the Detachment from that Time until its Return may be charged to the Rajah; and that Major Carnac do continue his Route with the Two Battalions under his Command to Benares, unleſs Mr. Graham, upon the full Receipt of the Subſidy, ſhall notify to him that there is no Neceſſity for his proceeding. I further move, That Letters to the ſame Effect be prepared and diſpatched to Mr. Graham and Rajah Cheyte Sing." (*b*)

Read, a further Extract from the ſame Conſultation, beginning at Page 635 of the ſame Book.

" Sir,

" As it is implied by the encloſed Copies of Letters which we have received from our Reſident at Benares, That Rajah Cheyte Sing means to protract if not entirely to evade Payment of the Five Lacks of Rupees, required of him as his Share of the Expences of the War for the current Year, by his diſtant and illuſory Promiſes, although there can be no Doubt of his preſent Ability to diſcharge the Demand if he thought proper, we conceive that ſome effectual Means ſhould be taken to compel him to it. Letter to Sir Eyre Coote.

" Mr. Graham has not yet required the March of Major Carnac's Detachment, in Obedience to the Letter of our Orders to him, we therefore requeſt that you will iſſue freſh Orders for this Detachment to repair forthwith to Benares, and there to wait according to your former Inſtructions, unleſs Mr. Graham in conſequence of the full Receipt of the Subſidy ſhall inform the Officer in Command of it, that his Proceeding is thereby rendered unneceſſary. It will be proper likewiſe to direct that the Day of March be notified to Mr. Graham, in order to enable him to claim the Expences of the Detachment from that Time until its Return to Dinapore, from the Rajah.

" Fort William,
the 29th September 1779.

We are, &c."

" Sir,

" We have received your Letters of the 10th, 12th, and 17th inſtant.

" As we conceive that the Rajah means to amuſe you with vague and diſtant Promiſes, and thereby to protract, if not entirely to evade, Payment of the Sum required as his Proportion of the Expences of the War for the current Year; we are of Opinion that compulſory Means ſhould be immediately uſed to oblige him to diſcharge it, ſince there can be no Doubt of his preſent Ability; we have therefore deſired the Commander in Chief to iſſue his Order to Major Carnac To Mr. Graham.

(*a*) Vide ſupra, Appendix, N° CCXXIV.

(*b*) Vide Appendix, ibid.

to march forthwith to Benaras with the Detachment under his Command, and there to wait our further Orders, unleſs you in the mean Time, from the actual Receipt of the Subſidy, ſhall inform him that it is unneceſſary to proceed any further. Major Carnac will adviſe you on what Day he ſhall have marched from Dinapore; and we direct that you inſiſt on the Rajah's paying the Expences of the Detachment from that Time till its Return to the ſame Place, excluſive of the Subſidy for the War.

" Fort William, the 29th September 1779. We are, &c." (*a*)

Read, a further Extract from the ſame Conſultation, beginning at Page 632 of the ſame Book.

" Honble. Sir, and Sirs,

" I had the Honour of addreſſing you laſt Night, informing your Honble. Board of the Steps I had taken towards obtaining Payment of the Five Lacks of Rupees from Rajah Cheyte Sing. I this Day received a Letter from him, of which I beg Leave to ſubmit to your Conſideration the following Tranſlate:

' The Situation of my Affairs is well known to you, and I have repeatedly repreſented the ' Particulars to you. The Five Lacks of Rupees on Account, a Proportion of the Expence of the ' War, conformably to the Injunctions of the Honble. Engliſh Company, I have for this Time ' agreed to pay, neither am I dilatory or inattentive in providing for its Diſcharge; but the ' Amount is conſiderable, and can only be liquidated by Degrees. Within the Space of Four ' Months I will pay it to you by Inſtalments, to the End of the Month of Zelkidge' (correſponding nearly to the Middle of the Engliſh Month of January enſuing) ' I will compleat Payment of ' the Whole.—What is now preparing is Part of the aforeſaid Sum of Five Lacks ſhall be paid to ' you on Thurſday next, the 12th of Rumzau. My Thoughts are not a Moment at reſt from this ' Matter: But from inceſſant Applications, Inconveniencies are occaſioned to the Proviſion, and ' my Endeavours are interrupted. From your Indulgence I will diſcharge the Amount in the ' Manner above ſpecified.'

" I ſhall be glad to be honoured with your Orders on the Subject of the foregoing Letter. In the Interim I conſidered it conſiſtent with the Spirit of thoſe Orders, already received from your Honble. Board, to reject the Propoſitions therein contained, and to repeat my Demand for the Whole without Delay.

" Benares, the 17th September 1779. I have the Honor to be, with the utmoſt Reſpect, (Signed) Tho' Graham, Reſident." (*b*)

To prove that the Rajah Cheit Sing ſtill continued to make Excuſes,

Read, from Book 24, already delivered in, the following Letter from the Rajah Cheit Sing to the Governor General, received on the 25th September 1779, beginning at Page 276 of the ſame Book.

" From Rajah Chite Sing to the Governor General, received 25th September 1779.

" I have been honoured with your gracious Letter, urging me in the ſtrongeſt Terms to the Payment of Five Lacks of Rupees, on account of the Share of the Expences of the War for the preſent Year; and underſtand your Pleaſure, regarding your Higneſs as my Maſter. In the Repreſentation which I ſent you of my Poverty and abſolute Inability, I had no View of preſerving my Property, and deceiving you by falſe Pretences; but I had really no Property left but what is apparent to every Body, ſuch as Elephants, Horſes, &c. which for the Support of my Credit I am obliged to keep, ſince that Credit is the Gift of your Highneſs's Bounty: But ſince you have been pleaſed to direct that I ſhould raiſe the Sum by any Means I can, I regard it as the Effect of my evil Deſtiny that the Repreſentation of my Situation had no Weight, and ſubmit to the Neceſſity of this once complying with your Order, notwithſtanding the Greatneſs of my Poverty which exceeds all Deſcription; I will make good the Sum gradually by the Diſpoſal of my Effects, and by Loans, the Particulars of which I cannot fully explain to you.

" Since you have honoured me, your moſt faithful and obedient Dependent, with the greateſt Marks of Favour and Regard, even to the honouring me with the Title of your Son, I am hopeful from the Continuance of that Regard, that you will in future continually keep in View my Welfare and Intereſt, and will be kindly pleaſed to excuſe me from Services which are beyond my Ability to perform, on a Compliance with which my Support, nay even Life, and the Proſperity of the Country depends."

(*a*) Vide ſupra Appendix, N° CCXXIV. (*b*) Vide ſupra Appendix, ibid.

To

To ſhew that the Reſident was reduced to the Neceſſity of ſending for the Detachment to compel Payment, notwithſtanding all his Endeavours to effect it without,

Read, from Book 56, already delivered in, the following Extract of a Conſultation of the 25th October 1779, beginning at Page 21 of the ſame Book.

" Fort William, 25th October 1779.

" At a Council; Preſent, Public Dept. Monday.

The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Mr. Barwell indiſpoſed.
Sir Eyre Coote gone to viſit the different Stations of the Army.

" Read, the following Letters from Mr. Graham.

" Honourable Sir, and Sirs, Mr. Graham, 3d October.

" Rajah Cheyte Sing not having yet compleated Payment of One Lack of Rupees, in Part of his Subſidy of Five Lacks, notwithſtanding agreeable to his own voluntary Propoſal, whereof I tranſmitted you a Tranſlate in my Addreſs of the 17th ultimo, he ought Twelve Days ago to have paid me a Lack and Twenty-five thouſand; I have, believing it to be conſiſtent with the Spirit of your Honble. Board's Inſtructions, dated the 26th Auguſt, in order to enforce Payment, this Day written to Major Carnac, requiring him with the Detachment under his Command to march to this Place with all convenient Expedition.

" Benares, 3d October 1779.

" I have the Honour, &c.
(Signed) Tho[s] Graham, Reſident.

(Signed at the End of the Conſultation)
" Warren Haſtings,
P. Francis,
Edw[d] Wheler." (*a*)

Read, a further Extract from the ſame Conſultation, beginning at Page 23 of the ſame Book.

" Honble. Sir, and Sirs,

" I have been honoured with the Receipt of your Letter of the 29th ultimo. Mr. Graham, 12th October.

" My Addreſs to your Honble. Board of the 3d inſtant, acquainted you not only of the Rajah's Continuation to procraſtinate the Payment of the whole Subſidy, but of his Failure in particular in the Payment of that Proportion which he had himſelf voluntarily fixed a Time for diſcharging; and of my having in conſequence ſent the neceſſary Notice to Major Carnac to march with the Detachment under his Command to this Place: Your further Inſtructions on this Subject now before me ſhall be punctually attended to. The Rajah, notwithſtanding he has been repeatedly made acquainted with your Honble. Board's determined Reſolution to obtain ſpeedy Payment, and of the Conſequences attend.d * on Delays, has only to this Day paid me the Sum of One Lack and nineteen thouſand Rupees. * Sic in Orig.

(Signed at the End of the Letter)
Tho[s] Graham, Reſident." (*b*)

The Counſel for the Defendant ſtated, That the Whole of the Money was not paid till the Arrival of the Detachment, as would appear from the printed Minutes *; and from Three Letters received by the Board from the Reſident, which they ſhould now read.

Read, from Book 112, already delivered in, the following Extract of a Conſultation of the 28th of October 1779, beginning at Page 729 of the ſame Book.

" Fort William, 28th October 1778.

" At a Council; Preſent, Secret Dept. Thurſday.

The Honble. Warren Haſtings, Governor General, Preſident;
Richard Barwell, Philip Francis, and Edward Wheler, } Eſquires.
Sir Eyre Coote gone to viſit the different Stations of the Army.

" Read, the following Letter from Mr. Graham.

(*a*) Vide Appendix, N CCXXV.
* Vide ſupra, Page 90 and 92.

(*b*) Vide ſupra Appendix, ibid.

To

Mr. Graham, 19th October.

" To the Honble. Warren Haſtings Eſquire, Governor General, and the Reſt of the Members, &c.

" Honourable Sir, and Sirs,

" The Purpoſe of this is to inform you that the Dynapore Detachment, under the Command of Captain Crabb, arrived here this Morning, and have for the preſent encamped contiguous to Ramnagur. As the Rajah has only yet paid Half the Amount of the Subſidy, viz. 2,50,000 Rupees, One Lack of which was paid me Yeſterday, I conclude therefore that in Two or Three Days more he will diſcharge the Whole; at leaſt he acquainted me ſo by the Perſon who came with the laſt Payment. I ſhall ſend your Honble. Board ſuch Information of his Conduct.

" Benares, the 19th October 1779. I have the Honour to be, with the utmoſt Reſpect, (Signed) Thomas Graham, Reſident."

(No Signature at the End of the Conſultation)

Read, the following Extract of a Conſultation of the 1ſt November 1779, beginning at Page 759, of the ſame Book.

" Fort William, the 1ſt November 1779.

" At a Council, Preſent,

The Honourable Warren Haſtings, Governor General, and Council; *

Richard Barwell, Philip Francis, Edward Wheler, } Eſquires.

* Sic in Orig.

Sir Eyre Coote gone to viſit the different Stations of the Army.

Reſident at Banares.

" Honourable Sir, and Sirs,

" I have to acquaint you that the Rajah has this Day paid me the Sum of One Lack Ninety thouſand Rupees, which makes the whole Sum received from him on account the Subſidy, Benares Sicca Rupees Four Lacs Forty thouſand, The remaining Sum of Sixty thouſand he has promiſed to diſcharge To-morrow.

I have the Honour to be, &c.

" Benares, the 20th October 1779. (Signed) Thoˢ Graham, Reſident,

(Signed at the End of the Conſultation)

" Warren Haſtings,
P. Francis,
Edwᵈ Wheler." (*a*)

Read, a further Extract from the ſame Conſultation, beginning at Page 760 of the ſame Book.

Reſident at Benares, has received the Remainder of the Subſidy;

" Honourable Sir, and Sirs,

" I have the Pleaſure to inform you, that Rajah Cheyt Sing has made good the Payment of the Subſidy of Five Lacs, and is in Readineſs to be diſpoſed of in ſuch Manner as your Honourable Board may think proper to direct.

requires an Eſtimate from the Commanding Officer of the Expences of his Detachment.

" The better to enable me to make the neceſſary Demand of the Rajah for the Expences of the Detachment, I required an Eſtimate from the Officer commanding, which he having in conſequence furniſhed me with, I encloſe a Copy thereof, together with a Copy of his Letter, for your Honourable Board's Information. I have, agreeable thereto, called upon the Rajah for the Proportion due to the preſent Time; I expect his Anſwer To-morrow, when I ſhall have the Honour of again addreſſing you.

calls on the Raja for the Payment of the ſame.

I have the Honour, &c.

" Benares, 22d Oct. 1779. (Signed) Thoˢ Graham."

Read, the following Extract from the printed Minutes, beginning at Page 90, of the ſame.

" Triplicate, Secret General Letter, dated 14th January, Fort William, 1780.

" To the Court of Directors.

9th July.

" 41. We thought it neceſſary and conſiſtent to demand a further Contribution of Five Lacks of Rupees from Rajah Cheyt Sing, for his Part of the Expences of the War for the current Year, being the ſame Sum as he paid towards that End for the laſt Year.

(*a*) Vide Appendix, N° CCXXVI.

(*b*) Vide ſupra Appendix, ibid.

" The Rajah ſtrongly pleaded his Inability to comply with this Demand, and even ſuffered us to ſend Two Battalions of Sepoys from Dinapore to Benares, to enforce the Payment, before he would grant it; at length, however, with much Difficulty, the Amount was received from him, added to a Penalty of 20,000 Rupees, for the Expences of the Two Battalions until their Arrival at Benares. 26th Aug. 29th Sept. 28th Oct. 1ſt Nov. 12th Nov.

" 42. We ſhall make but this ſhort Obſervation upon the Conduct of the Rajah, That whither * it proceeded from the Apprehenſion of eſtabliſhing a Precedent for exceeding the Sum of his annual and ſtipulated Revenue, or from a Senſe of Independence, it was equally unreaſonable, and an ungrateful Return for the Benefits which he has been allowed to derive from the Company's Protection. * Sic in Orig.

" We are,
Honourable Sirs,
Your moſt faithful
Humble Servants,
Warren Haſtings,
P. Francis,
Edw[d] Wheler."

" Fort William,
14th January 1780.

The Counſel for the Defendant informed the Houſe, they had now concluded their Evidence reſpecting the Subſidy of the Second Year, and ſhould next proceed to give Evidence reſpecting the Subſidy of the Third Year.

Read, from Book 26, already delivered in, the following Extract of a Conſultation of the 12th June 1780, beginning at Page 460 of the ſame Book.

" Fort William, the 12th June, 1780.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis Eſquire,
Mr. Wheler indiſpoſed. Secret Dep. Monday.

" Governor General.—By the propoſed Plan of Operations the Subſidy which we have hitherto received from the Rana of Gohud will ceaſe. All that we can require of him will be to join our Forces with the Quota of his Troops ſtipulated by the Treaty; it will therefore become neceſſary to provide a Military Fund for the Payment of this Detachment. I propoſe to the Board, as the Seaſon is now approaching in which our Demand upon Rajah Cheyt Singfor the Payment of his annual Contribution towards the Expences of the War ſhould be made, we do immediately inſtruct our Reſident at Benares to apply to him for the Sum of Five Lacks of Rupees, which Sum I propoſe ſhall be appropriated ſolely to the Payment of Major Carnac's Detachment.

(Signed at the End of the Conſultation)
" Warren Haſtings,
P. Francis,
Edw[d] Wheler." (*a*)

The Counſel for the Defendant ſtated, that, in conſequence of the Governor General's Plan, whereof the Propoſal juſt given in Evidence was a Part, Two Members of the Board delivered in a joint Minute on the 19th of June following, in which they conſidered this Subſidy as forming a Part of their general Eſtimates for the Year; and that they ſhould only read as much of that Minute as applied to this Subject.

Read, from Book 26, the following Extract of a Conſultation of the 19th of June 1780, beginning at Page 468 of the ſame Book.

" Fort William, the 19th June 1780.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident,
Philip Francis,
Edward Wheler, } Eſquires. Secret Dep. Monday.

Lieutenant General Sir Eyre Coote abſent on a Viſit to the different Stations of the Army.

" 4th. Becauſe the propoſed Anticipation of the Demand of Five Lacks from the Rajah of Benares, and the ſole Appropriation of it to this Service, is no Relief of Expence or Increaſe of Re- Meſſ. Francis and Wheler's Minute, dated 15th June.

(*a*) Vide Appendix, N° CCXXVII.

ſource, ſince the above Five Lacks make Part of our General Eſtimate of Reſource for the Service of the current Year; and if applied to any Service not provided for in the ſame Eſtimate, will leave a Deficiency which muſt be made good out of ſome other Fund.

(Signed at the End of the Conſultation)

" Warren Haſtings,
P. Francis,
Edwd Wheler." (a)

The Counſel for the Defendant ſtated, that it being already in Evidence (b) that the Demand was actually made on the 22d of June 1780, they ſhould next read a Letter from the Reſident, ſtating the Readineſs ſhewn by the Rajah Cheit Sing to comply with this Demand, and which was upon the printed Minutes, but which had not been read by the Managers for the Commons.

Read, the ſame from the printed Minutes, P. 93.

" Fort William, the 7th September, 1780.

Secret Conſultation.

" At a Council; Preſent,
The Honourable Warren Haſtings Governor General, Preſident;
Edward Wheler, Eſquire,
Lieutenant General Sir Eyre Coote, K. B.
Mr. Francis indiſpoſed.

" Read, the following Letter from the Reſident at Benares.

" Honourable Sir, and Sirs,

" In Obedience to your Orders of the 22d ultimo, I have demanded of Rajah Cheyt Sing the Sum of Five Lacks of Muchlidar Rupees, as his Proportion of the Burden of the preſent War with France. The Rajah has deſired me to inform you of his intire Submiſſion to Commands. He has promiſed to pay One Lack of this Amount within a few Days. I ſhall immediately adviſe your Honourable Board of the Receipt of it; and ſhall remit it upon the moſt advantageous Terms, I can obtain. I ſhall likewiſe urge the Rajah, in the ſtrongeſt Manner poſſible, to uſe the utmoſt Expedition in the Diſcharge of the remaining Part.

" I have herewith the Honour to incloſe you 14 Bills of Exchange, for the Sum of Calcutta Sicca Rupees, 1,61,819: 4: 13: 1, drawn in Favour of the Honourable Company, as per accompanying Invoice, being the Balance on Account of Rajah Cheite Sing's Kiſt, due the 4th Inſtant, after Deduction of the Nabob Saadut Ally Cawn's Monthly Allowance of Standard Gourſhay Rupees 25,000.

I have the Honour to be, with the greateſt Reſpect, &c.

" Benares, 21 July 1780. (Signed) " F. Fowke, Reſident at Benares."

The Counſel for the Defendant ſtated, they would next proceed to ſhew in what Manner the Rajah fulfilled this Promiſe.

The Witneſs next produced a Book marked 535, and entitled " Bengal Letters Sent, being Part of the Correſpondence depoſited in the Reſident's Office at * Barnares 1775, † at 1781, received per Houghton, the 20th January 1791."

* Sic in Orig.
† Sic in Orig.

Read, the following Letter from the Reſident at Benares to the Governor General, &c. dated the 5th Auguſt 1780, beginning at Page 302 of the abovementioned Book.

" To the Honourable Warren Haſtings Eſquire, Governor General, &c. &c. &c.

" Fort William.

" Sir,

" I have the Honour to encloſe Rajah Cheyte Sing's Anſwer to your Letter reſpecting the Subſidy, which I received with Mr. Colebrooke's Letter of the 28th of laſt June.

" The Rajah has informed me of the Requeſt contained in the encloſed, and has deſired me to make the ſame Requeſt ‡ in his Part, in a public Letter to the Board. This I have refuſed to do; the Order of the Council leaves no Opening for ſuch an Application. The Exigencies of Government are great, and the early Notice given has the Appearance of a particular Proviſion. Theſe Reaſons I have aſſigned to the Rajah, and have ſtrongly urged the immediate Payment of

‡ Sic in Orig.

(a) Vide Appendix, N° CCXXVIII. (b) Vide ſupra, p. 9[illegible].

the

the Balance. I reminded him of the Riches he received from his Father, of the flouriſhing State of his Country, and of the eaſy Terms on which he holds it; and I added, that receiving * the Affair in this Point of Light, his Plea of Poverty and Inability muſt appear highly ridiculous. I ſhall continue my Demands upon the Rajah for immediate Payment; but I am afraid they will be attended with little Effect, till the Receipt of your further Commands.

* Sic in Ori

" I have the Honour to be,
Sir,

" Benares, 5th Auguſt 1780. " Yours, &c."
(No Signature).

The Counſel for the Defendant ſtated, that they ſhould complete their Evidence reſpecting the Demand of the Third Year, by reading Two Letters from the Board, one to the Reſident, and the other to Brigadier General Stibbert, already on the printed Minutes, but not read by the Managers for the Commons:

Read, the ſame from the printed Minutes, beginning at Page 95 of the ſame.

" Agreed, that the following Letter be written to the Reſident at Benares.

" Sir,

" We have received your Letter of the 5th inſtant, informing us that the Rajah, notwithſtanding his ſolemn Aſſurances, has hitherto paid no Part of the Balance of his Subſidy, ſpecified in your Addreſs of the 27th ultimo: That he had reſumed his Plea of Inability, and that you could form no Opinion how long he might think proper to protract the Payment. This Conduct of the Rajah ſeems to us without Excuſe. We direct therefore, that you demand inſtant Payment of the Balance due of his Subſidy; and if he ſhall not have diſcharged it at the Time of your Receipt of this Letter, that you exact from him, in the Name of the Board, the further Sum of One Lack of Rupees, as a Fine for his paſt Diſobedience. To enforce the Compliance due to our Authority, and to the Payment of the Sums required of him, we have given Orders that the Battalions, at the Stations neareſt to Benares, ſhould march immediately to that Place, and wait for ſuch Directions as may hereafter be tranſmitted to the Officer commanding there.

" Fort William, 19th October, 1780. " We are, &c.
(Signed) Governor General and Council."

" Agreed, that the following Letter be written to Brigadier General Stibbert.

" Sir,

" Having had late Occaſion to be much diſſatisfied with the Conduct of the Rajah of Benares towards this Government, in withholding the Payment of the Amount due from him as his Subſidy, we think it neceſſary to direct, and do direct you to iſſue Orders to the Commanding Officers of the Battalions, at the Stations neareſt to Benares, to march immediately to that Place, and wait ſuch further Orders as may hereafter be tranſmitted to them.

To General Stibbert.

" Fort William,
19th October 1780. " We are, &c.
(Signed) Governor General and Council."

Then the Lords adjourned to the Chamber of Parliament.

Die Jovis, 3° Maij 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed with their Evidence.

The Counſel for the Defendant ſtated, That the next Subject on which they ſhould produce Evidence, was the Fourth and laſt Demand made upon the Rajah Cheit Sing during the War, to aſſiſt the Company with ſuch Part of his Cavalry as he could ſpare; for which Purpoſe they ſhould begin with a Minute of Sir Eyre Coote, when the Idea was firſt ſtarted of bringing down Cavalry for the Defence of the Province of Bahar.

Read, from Book 30, already delivered in, the following Extract of a Conſultation of the 4th September 1780, beginning at Page 55 of the ſame Book.

" Fort William, 4th September 1780.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Edward Wheler Eſquire, and
Lieutenant General Sir Eyre Coote, K. B.
Mr. Francis indiſpoſed.

Secret Dept. Monday.

" 4th September 1780.

" Sir Eyre Coote.—It has never ſince my firſt entering upon public Life fallen to my Share to deliberate on a Buſineſs of ſuch Extent and Importance as the preſent Criſis of the Company's Affairs in India, and unequal as I find myſelf to the Taſk of deviſing Means in my own Mind as well approved, as to leave me without a Doubt of their extricating them from the more than common Difficulties in which they are at preſent involved; nevertheleſs do I find myſelf called upon, equally by a Regard for the Intereſts of my Nation and my Employers, to ſuggeſt ſuch Meaſures as in my Judgement appear beſt calculated to repel thoſe Evils which have already fallen upon the Company's Poſſeſſions in the Carnatic, as well as to avert, if poſſible, the further Calamities with which their Intereſts in general are threatened.

" I am well aware of the very great Diſadvantages under which I ſhall here give my Opinions; I mean the Expectations entertained from this Quarter, both by the Company and the Nation, of Reſources to ratify thoſe Conditions unavoidable on a Renewal of the Charter; but whilſt not in Poſſeſſion of thoſe Reſources, and whilſt the very Spring from whence they are ſuppoſed to flow, and I truſt they may ſtill at a future Period be derived, is itſelf in Danger, I flatter myſelf I ſhall ſtand exculpated in the Eyes of my King, my Country, and my Employers, in recommending the Adoption of Meaſures for the Security of ſo important an Object to all, however oppoſite they may be to the immediate Hopes of the Public.

" In the preſent Exigency of our Affairs, with no Money in our Treaſury excepting the War Depoſit in our new Fort, and which I have been taught to underſtand the Demands againſt us, both from the Civil and Military Eſtabliſhments have nearly, if not entirely mortgaged, added to the Knowledge we have, that our Receipts of Revenue are barely adequate to defray our preſent Diſburſements, it behoves us to conſider in what Manner the Extraordinaries attendant upon the extenſive War we are now engaged in, are to be ſupplied. (*a*)

(Signed at the End of the Conſultation)
" Warren Haſtings,
Edwd Wheler."

(*a*) Vide Appendix, N° CCXXIX.

Read, a further Extract from the ſame Minute and ſame Conſultation, beginning at Page 64 of the ſame Book.

" I ſay, for theſe moſt important Purpoſes, I would recommend a ſufficient Army being formed to the Southward; but to the good Effects of this ſalutary Meaſure I cannot help obſerving, that I perceive a very powerful Obſtacle, and which I ſhould be happy to ſee removed, I mean a Maratta Army on the Confines of Cattach, and now laying in conſiderable Force on our Borders. As they have had no Enemy to oppoſe, and as we have as yet neither made, or threatned to make, any Encroachments upon their Territories in that Quarter, I ſhould be glad to be informed of the Cauſe and Purpoſe of their being there; the more eſpecially, as I have been told that for upwards of Eleven Years paſt they have never once ſhewn themſelves in thoſe Parts.

" To this Query it may be anſwered, That as they have been there for ſome Months, and have offered us no Harm, they are our Friends. As a Military Man I muſt declare that the Circumſtance itſelf in the Effects it produces diſproves the Allegation; Were they invited into their preſent Situation by us, or did they come to ſuppreſs any Diſturbances that had ariſen there? If neither of theſe has been the Caſe, they muſt be an Army of Obſervation, leagued with thoſe who wiſh no good to our Affairs, and have proved more injurious to our political Intereſts than if they had abſolutely entered our Territories, in which Caſe we could immediately have applied the Remedy: But as they have conducted themſelves, they have, by forming a Barrier on our Frontier in the high Road of Communication with our Poſſeſſions on the Coaſt, encouraged, covered, and given Spirit and Confidence to Hyder Ally's Tranſactions in the Carnatic; whilſt they have on the other Hand ſerved * as to check and deſtroy every favourable Effect that might have reſulted from our Operations; and ſo alarmed and intimidated our Inhabitants, that there is not a Man amongſt them of any Rank or Denomination with whom I have converſed, and I have had full Opportunity, in coming down the Country, to learn their Sentiments, who has not expreſſed his Fears of their coming into this Country, and in ſuch Caſe pointed out his own defenceleſs State, and the Dependance he had upon us, as holding the only Power to afford him Protection. Under the Influence of theſe Apprehenſions, many are preparing, and ſome I am informed are actually removing their Property and Families to Places which appear to them more ſecure: With ſuch incontrovertible Evidence of the Prejudice done to the Eaſe and Happineſs of our Subjects by the Continuance of this Force at Cuttack, is it poſſible that I ſhould ſo totally overlook my Duty to the Public, both in my Civil and Military Capacity, as not to be anxious to diſburthen our Affairs of a Weight, which may impede every Operation we wiſh to carry on, either offenſive or otherwiſe.

* Sic in Orig.

" It is therefore my Opinon, That under whatever Authority they may be, an immediate Application ſhould be made for them to retire, as their remaining where they are diſturbs the Peace of our Provinces. This Requiſition will ſoon diſcover the Reality of their Intentions towards us; and in order that we may not ſuffer ourſelves to be further injured by Delays, a Time ſhould be ſtipulated for receiving an Anſwer; ſhould this be denied us, our own Safety and Intereſts will dictate to us how to act.

" I muſt further point out the Neceſſity of covering the Province of Bahar, which now lies open and expoſed to the Incurſions even of ſmall Parties of the Enemy; for this Purpoſe I recommend the giving immediate Orders for completing our Two Regiments of Cavalry, and calling them down as ſoon as the Seaſon will admit, for its Protection.

" I do not apprehend at this Time any Danger to the Viziers, Provinces, as the Troops ſtationed in thoſe Parts, when properly arranged, will, excluſive of our Cavalry, be more than ſufficient to prevent the Marratas from entering them.

" It ſhould however be ſtrongly recommended to the Vizier to be attentive to the keeping up a reſpectable Body of Horſe; and the Reſident directed to urge the Neceſſity of their being regularly and punctually paid.

" As theſe are the Outlines neceſſary to be firſt conſidered, I ſhall not take up the Attention of the Board further at preſent, but reſerve what I have ſtill to propoſe until the detail of the Buſineſs ſhall be entered upon.

(Signed) Eyre Coote." (*a*)

The Counſel for the Defendant ſtated, That the Subject of protecting the Bahar Province was again taken up on the 18th of September, and they ſhould proceed to read an Extract from the Conſultation of that Date,

Read, the following Extract of a Conſultation of the 18th September 1780, beginning at Page 213 of the ſame Book.

(*a*) Vide Appendix, N° CCXXIX.

" Fort

" Fort William, the 18th September 1780.

Secret Dep. Monday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Edward Wheler Eſquire,
and
Lieutenant General Sir Eyre Coote K. B.
Mr. Francis indiſpoſed.

" The Board agree with the Commander in Chief in the Sentiments expreſſed in the above Minute, and refer it to him take ſuch Precautions and to paſs ſuch Orders as may be immediately neceſſary to guard againſt the Event of an Invaſion. (*a*)

(Signed at the End of the Conſultation)
" Warren Haſtings,
Edw[s] Wheler."

The Counſel for the Defendant ſtated, That the above being the Situation antecedent to the Arrival of the News of Colonel Baillie's Defeat, they ſhould next produce a Letter from Sir Edward Hughes to the Board, giving an Account of that Misfortune.

Read, the following Extract of a Conſultation of the 22d September 1780, beginning at Page 247 of the ſame Book.

" Fort William, the 22d Sept[r]. 1780.

Secret Dep.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General; Preſident,
Edward Wheler Eſquire,
Mr. Francis, and
Lieut. Gen. Sir Eyre Coote indiſpoſed.

Read, a Letter from Sir Edward Hughes, as follows:

Sir Edward Hughs's. 14th Sept.

" Sir, and Gentlemen,

" I arrived in this Road on the 12th inſtant, with his Majeſty's Ships named in the Margin, in order to compleat their Proviſions and Stores for the Paſſage to the Malabar Coaſt and Bombay; at which Place my Arrival is moſt earneſtly preſſed by the Preſidency, by Letters of the 14th Auguſt laſt, enloſing Extracts of Intelligence from the Court of Directors, dated the 24th March laſt, giving Information of Seven capital Ships having ſailed from France, with 7000 regular Troops, and ſuppoſed to be intended againſt Bombay, and which correſponds with Cautions given me before I left England, as well as all the Intelligence I have of late received.

Superb, Worceſter, Exeter, Burford, Eagle, Sartine, Nymph, York Store-ſhip.

" On that Day it was greatly feared ſome untoward Accident had prevented the Junction of a large Detachment of Europeans and Sepoys, under the Command of Lieut. Col. Baillie, with the Army under the Command of Sir Hector Munro; ſorry am I to tell you, that laſt Night's Advices from the Army have given Certainty of the Deſtruction, not only of the Whole of Lieut. Col. Baillie's Detachment, but alſo of a Reinforcement ſent to ſupport it, conſiſting of all the European Grenadiers and Light Infantry, and all the Sepoys Grenadiers of the Army, making together more than 400 Europeans, and 3000 Sepoys, with about 50 Officers; and, in conſequence of this Diſaſter, the Army under Sir Hector Munro has retreated to Chinglaput, on its Rout to the Mount, in great Want of every Thing, and, as the Report is, having loſt the Whole of their Cannon and Baggage: In ſhort, Sir and Gentlemen, as far as my Knowledge of Land Service aſſiſts me, it appears to me, that under the preſent Circumſtances, and with all the Force this Preſidency can poſſibly bring into the Field, they will be in no Condition to face the Enemy, unleſs you ſend them a large and timely Reinforcement of Troops; nor will Troops alone ſave this ſinking Settlement, for I am aſſured by the Governor, that they have no Money in the Treaſury, nor any evident Means of raiſing it, in any Proportion adequate to their preſent Exigencies.

" Under all theſe Circumſtances, I truſt you will not think me importunate, if I recommend to your moſt ſerious Conſideration, the imminent Danger there is of the Loſs of the Company's very valuable Poſſeſſions on this Coaſt, unleſs you give them that effectual and timely Succour of Men and Troops abſolutely neceſſary to ſave them, for the preſent Force with Hyder Ally is not all they have to contend with; I have not a Doubt that a regular Plan of Operations is ſettled between him and the French, and that a very large Body of regular Troops will, by ſome Means or other, be ſent to Hyder's Aſſiſtance.

" Strongly impreſſed as I am with this Certainty, and the Poſſibility and even Probability that the French may bring a ſuperior Naval Force into theſe Seas, I think it my indiſpenſible Duty to warn you, Sir, and Gentlemen, of the evident Neceſſity there now exiſts to guard not only the Company's Territories on this Coaſt, but Fort St. George itſelf, from the Arms of France and Hyder at this Time, when the whole national Strength is required to make Head

(*a*) Vide Appendix, N° CCXXX.

againſt

againſt the combined Force of France, Spain, and our rebellious Colonies; and that this may be the more eaſily and effectually done, I muſt earneſtly wiſh and recommend that, laying aſide all other Plans of Operation againſt the Mharattas or any other Country Powers, the Three Preſidencies do heartily concur, by every Means both of Men, Money, and Treaties, to reduce this habitual Foe to the Engliſh Nation, within due Bounds; in the effecting of which, and every other Service for the public Good, you may be aſſured of my moſt hearty Concurrence and beſt Aſſiſtance.

" As His Majeſty's Sloop Nymph is deſtined for further Service of the utmoſt Conſequence to the Public, and which requires her ſpeedy Return to join me here, I have directed Captain Stevens, who commands her, to proceed no farther than Ballaſon Road; but I truſt, Sir and Gentlemen, you will do me the Honour to communicate to me fully, before I leave this Coaſt, your Senſe of the State of the public Affairs, as well as your Opinions on the moſt proper Mode of conducting them, that my Want of Information may not preclude me from the active Part I wiſh to take in all Things for the Intereſt of the Company and the Nation.

" I am, &c.

" Superb, in Madras Road,
14th September 1780.

(Signed)
" Edward Hughes." (*a*)

(Signed at the End of the Conſultation)
" Warren Haſtings,
Edw[d] Wheler."

The Counſel for the Defendant ſtated, they ſhould next read a Minute of the Defendant's, entered on a Conſultation of 25th of September following, propoſing, among other Things, to refer it to the Commander in Chief to offer a Plan for the Military Operations of the Government on this Occaſion, as appertaining to his ſeparate Province.

Read, the following Extract of a Conſultation of the 25th September 1780, beginning at Page 341 of the ſame Book.

" Fort William, the 25th September 1780.

Secret Dep. Monday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Philip Francis,
Edward Wheler, } Eſquires.
and
Lieutenant General Sir Eyre Coote, K. B.

" The Governor General delivers in the following Minute:

Governor General.

" Governor General.—This is not a Time either for long Deliberation at Home, or the formal and tedious Proceſs of Negociation Abroad. The Calamity which has befallen us upon the Coaſt, and the alarming Superiority which Heyder Ally Cawn has acquired in the Carnatic; the Deſpondency of the Government of Fort Saint George; the Conſternation and Diſtruſt which ſeem to have ſpread themſelves among all thoſe who are ſubject to it * Authority, its utter Want of preſent Means and Reſources; the Diminution of their Military Strength, and its declared Inſufficiency for the War which it is to ſuſtain; and above all, the authentic Informations which we have received of a great Naval and Military Armament prepared by the Court of France, and deſtined, beyond all Doubt, to co-operate with Hyder Ally, demand the moſt inſtant, powerful, and even hazardous Exertions of this Government, to avert the Event portended by ſo many concurrent Difficulties; to this Point every other Conſideration muſt now give Place. Without further Preface I propoſe the following Reſolutions:

* Sic in Orig.

† Sic in Orig.

" 1ſt. That the Sum of Fifteen † Laaks of Rupees be immediately ſent to Fort St. George in Specie, and laden for that Purpoſe on the Honourable Company's Ship the Duke of Kingſton, and the other Veſſels which are now on the Point of ſailing for Madras.

" 2d. That the Treaſure depoſited in the New Fort, including the Moiety, lately taken from it, be all replaced in the General Treaſury, to be applied to the preceding Purpoſe, and other Exigencies of this Government.

" 3d. That a large Detachment of European Infantry and Artillery be immediately ſent to Fort St. George, by the Duke of Kingſton, and the other Veſſels which are now on the Point of ſailing for Madras. To this Propoſition, as a neceſſary and eſſential Part of it, I muſt add the following, viz. That the Commander in Chief be requeſted, and I do, for my own Part, make it my moſt earneſt and particular Requeſt, that he will proceed himſelf immediately to the Coaſt, and take the Command of the Army on that Eſtabliſhment. The Commander in Chief will pardon this formal and official Solicitation. I know the Ardor of his Zeal for the public Service;

(*a*) Vide Appendix, N° CCXXXI.

and

and that this Principle will of itſelf impel him to be, wherever it ſhall moſt require his Preſence; but I think this a Caſe in which it would mark too great an Indifference to the public Welfare, and too cold a Senſe of the Utility of his Services, to leave the Offer of them to his unſolicited Opinion. I make no Scruple to avow, that although I am convinced that the Danger impending on our Intereſts in the Carnatic might be eaſily repelled, even with the Force which it already poſſeſſes for its Defence, yet I cannot place any Reliance upon it, unleſs it ſhall be properly applied and conducted; that I do not think it has been properly applied, nor expect that it will be properly conducted, unleſs Sir Eyre Coote will at this Criſis ſtand forth and vindicate in his own Perſon the Rights and Honour of the Britiſh Arms. I mean not to compliment his military Experience; * and above all, the high Eſtimation in which his Name is held by the World, and eſpecially by that Part of it, where it was principally acquired, mark him as the only poſſible Inſtrument to retrieve our paſt Diſgraces, or to preſerve the Britiſh Intereſts and Poſſeſſions in the Carnatic from utter Ruin.

* Sic in Orig.

" Our Armies, which have been ſo long formed to the Habits of Conqueſt, will not eaſily recover from the Impreſſion of the dreadful Reverſe which has lately befallen them, nor be brought to act with the former Confidencies under unſucceſsful Commanders. The Addition of Numbers will not relieve their Apprehenſions, and will but contribute to oppreſs the Hands which have been already proved too weak to ſuſtain the Weight of an inferior Charge.

" 4. That an immediate Offer of Peace be made to the Maratta State in the Mode and in the Conditions following; viz. That as the Miniſters of that State have profeſſed a Deſire for Peace, which has been equally the Wiſh of this Government, even from the Commencement of the War, and as the Attainment of it ſeems to have been hitherto impeded by the Difficulty of managing a Negotiation between the Principals, ſituated at ſo great a Diſtance from each other; to preclude all further Delays, we do at the ſame Time offer Peace, and bind ourſelves to the Obſervance of it, on their Acceptance and Ratification of the following Conditions; viz.

" 1ſt. That all Acquiſitions made by our Forces in the Courſe of the War, and retained in our Poſſeſſion as the Property of the Company, ſhall be delivered up and reſtored to the ſame Footing as that on which it ſtood before the Commencement of the War, but that ſuch as have been conquered and ceded to others, in virtue of former Treaties, ſhall remain and be confirmed to the Perſons to whom they were ſo ceded, and the Treaties concluded with them remain firm and inviolate.

" 2d. That a Proviſion be made for the Maintenance of Ragonaut Row during his Life; and that he ſhall be permitted to reſide where he pleaſes, excepting Bombay, or any Place nearer to Bombay than Surat; but ſhall receive no Aſſiſtance from the Governor General and Council of Bengal, nor from any other Preſidency of the Company; nor, if he ſhall chuſe any of the Company's Preſidencies or Settlements for the Place of his Reſidence, ſhall he be permitted to reaſſert his Pretenſions to the Adminiſtration of the Maratta State, without the entire and univerſal Conſent and Requiſition of all the Members of the State, who are included as Parties in this Treaty.

" 3d. That the Peſhwa and Rulers of the Maratta State ſhall agree to an Alliance, offenſive and defenſive, with the Company againſt the French and Hyder Ally Cawn, and ſhall immediately employ their Forces, in conjunction with ours, in the Invaſion of his Dominions, and in the Proſecution of ſuch Operations † againſt againſt him as the Circumſtances of the War, and the Judgement of thoſe who have the Conduct of it on both Sides ſhall determine; and if, in the Courſe of it, any Acquiſition of Territory ſhall be made, theſe ſhall be equally ſhared between the Parties to this Engagement, in ſuch Manner as ſhall be moſt ſuitable to the Situation and Contiguity of the Places or Dominions at this Time reſpectively held by them.

† Sic in Orig.

" 4th. That, if the Peſhwa ſhall not agree to the propoſed Alliance, Peace be nevertheleſs concluded, each Party retaining what it hath acquired, or that a Suſpenſion of Hoſtilities ſhall take place on both Sides during ‡ on Year from the Date of the Treaty, for the Purpoſe of negotiating the Terms of a future and perpetual Adjuſtment.

‡ Sic in Orig.

" 5th. That the Treaty ſhall be concluded with the Mediation and Guarantee of Raja Moodajee Booſla, who ſhall be a ſubſcribing Party to it, and ſhall bind himſelf and his Succeſſors to the faithful Obſervance and Support of it.

" 6th. That the Treaty ſhall be ſealed, ſigned, and ſanctified by the reſpective Parties to it, with the moſt ſolemn Oaths preſcribed by their reſpective Religions.

" 7th. That One Copy of the Treaty, executed in the Manner above preſcribed by the Governor General and Council of Bengal, being received by the Peſhwa or his Miniſters, Two Copies or Counterparts thereof ſhall be in like Manner executed by the Peſhwa and principal Rulers of the Maratta State, and Raja Moodajee Booſla, as the Guarantee to it, in the Manner abovementioned; and ſhall be tranſmitted, One to the Government of Bombay, and the other to General Goddard, or to the Officer commanding the Detachment ſent from Bengal, that all Hoſtilities may immediately ceaſe on both Sides, and each provide for the due Execution of the Treaty; but until the Treaty ſhall be thus ratified on the Part of the Peſhwa, it ſhall not be binding on the Governor General and Council; neither ſhall it be binding, unleſs it ſhall be ſo ratified within Two Months after the Receipt of it.

" 8th. That a Letter be written to the Preſident and Select Committee of Bombay, and a ſimilar Order to General Goodard and Major Carnac, requiring and commanding them immediately

to ſuſpend all Hoſtilities and military Operations on the Receipt of a Requiſition in Writing to that Effect, and a Notification from the Peſhwa, that the like Order has been given on his Part to the Officers commanding his Armies; and that the Peſhwa be adviſed of theſe Orders, that, if deſirous of Peace, he may make the ſaid Requiſition and Notification accordingly.

" 6th. That the Treaty being executed by the Governor General and Council, in the Manner ſpecified by the 6th and 7th Articles of the 4th Reſolution, it be forwarded to Modajee Borſla, with Two blank Copies of it, that if he ſhould approve of it, it may be previouſly ratified on his Part as Guarantee, and tranſmitted, with the Treaty executed by this Government, to the Peſhwa, for his Ratification, in the Manner preſcribed by the 6th and 7th Articles of the 4th Reſolution.

" This is all that I propoſe, as immediately neceſſary. The Commander in Chief will offer ſuch a Plan for the Diſtribution of our Troops and other military Arrangements, as appertain to his ſeparate Province.

" Other ſubſidiary Meaſures may be the Subjects of future Deliberation.

" Agreed, That the Conſideration of the foregoing Propoſitions be deferred until the next Meeting.

" The Board adjourned till To-morrow Morning at 10 o'Clock.

" Warren Haſtings,
P. Francis,
Edwd. Wheler."

The Counſel for the Defendant ſtated, That the Commander in Chief, in conſequence of the above Reference to him, delivered in his Plan on the following Day, which they ſhould now read, together with the Minutes of the reſt of the Board on that Occaſion.

Read, the following Extract of a Conſultation of the 26th September 1780, beginning at Page 358 of the ſame Book.

" Fort William, the 26th Sept. 1780.

At a Council; Preſent,
The Honourable Warren Haſtings, Governor General,
Philip Francis, } Eſquires.
Edward Wheler, }
Lieut. General Sir Eyre Coote, K. B.

" Mr. Francis delivers in the following Minute on the Propoſitions recorded by the Governor General on Yeſterday's Proceedings.

" Mr. Francis.—I am earneſtly deſirous of giving every Aſſiſtance and Relief to the Preſidency of Fort St. George that Prudence and a due Regard to our own Safety will admit of; our Endeavours to provide for the Security of the Company's other Poſſeſſions in India ſhould always be guided and limited by the fundamental Principle laid down for us by the Court of Directors in our general Inſtructions, to make the Safety and Proſperity of Bengal the principal Object of all our Deliberations and Reſolutions; and I truſt that the Board will not loſe Sight of this Principle in the preſent Debate.

" 1ſt. I ſee many Objections to the Governor General's firſt Propoſition. The Sum of 15 Lacks in Specie is much too great for this Government to ſpare from its own preſſing Occaſions; nor do I think that ſo great a Sum ought to be truſted at once to the Gentlemen of Madras, if our Treaſury were full; if we ſupply them gradually and with Moderation, it is probable they may apply our Money with Oeconomy to the Service for which we intend it; if not, I very much fear it will not only be miſapplied, but waſted. Before we part with any Thing, we ought to look into the State of our own Treaſury, and ſee what Supplies can be afforded from it, conſiſtently with the immediate Demands and other indiſpenſible Services of this Government.

" We had Yeſterday an apparent Balance of 44 Lack of Current Rupees, including 4,65,196 Bills, receivable, 1,26,990, unſorted Treaſure, and Depoſits of private Property to the Amount of C. R^s 16,51,653. This is our actually exiſting Fund. The Paymaſter General's immediate Demand on this Fund is for 17 Lack 59,556, other Orders unpaid amount to C. R^s 15,91,441. The Civil Service, I believe, is univerſally in Arrears, the Artillery Laſcars, the Artificers, and all the Sepoy Battalions, except one, are Three Months in Arrears. On the Fifth of next Month, the Paymaſter General will call upon us for C. R^s 5,47,000, excluſive of any Bills that may be drawn by General Goddard and Major Carnac; put theſe Demands together, and ſee in what State we ſhall be left when they are ſatisfied, as ſome of them at leaſt muſt be, without Delay. In effect, we have no Fund to meet our moſt preſſing Expences; nor do I ſee by what Means it will be poſſible to create ſuch a Fund as our Situation requires. Before we have a conſiderable Sum in Hand I would not undertake to ſend large Supplies to the other Preſidencies. For theſe Reaſons I think

think that the preſent Supply to Fort St. George ſhould not exceeed Half the Sum propoſed; nor could any Thing but their preſſing Neceſſities extort even this Sum from me in the preſent State of our Treaſury.

" 2d. If it depended on me, I would rather take Meaſures to increaſe the Depoſit in the New Fort than proclaim our Diſtreſs to all India, by taking away the Reſidue now left there. It is a dreadful Conſideration that a Government, ſuch as this, ſhould not at all Times have a Reſerve of 20 or 30 Lack in Specie at its Command.

" 3dly. On the Firſt Part of the Third Propoſition, I muſt ſubmit to the Judgement of the Commander in Chief, whether a large Detachment of European Infantry and Artillery can be ſpared with Safety from the Defence of Fort William, and of theſe Provinces. It is not aſcertained by what Conveyance they are to be ſent. The Kingſton, it is ſaid, may be ready in Ten Days, but this is the only Ship now under Orders for ſailing, and it is feared, that even ſhe will arrive on the Coaſt at a Time when it may be very difficult, if not impoſſible, to land the Stores or Men. I deem this to be a Point of very great Conſequence, and hope the Board will attend to it. As the Governor General declares that he is convinced that the Danger impending on our Intereſts in the Carnatic might be eaſily repelled, even with the Force which it already poſſeſſes for its Defence, if properly conducted, I concur in the Requeſt propoſed to Sir Eyre Coote; but I do not ſee the ſame Neceſſity for ſending a Reinforcement of Troops.

" 4th. I agree to the Fourth Paragraph, with the following Reſervations; viz. that all Acquiſitions whatever on the Malabar Coaſt, made by us ſince the laſt Rupture with the Poonah Government, ſhall be reſtored. I could not continue the War for the ſake of keeping Futty Sing in Poſſeſſion of any Part of Guzerat. With reſpect to the Rana of Ghoid, I would ſecure him, if poſſible, in the Poſſeſſion of whatever is properly his own Dominion; but I would keep Groſſior, which is a Royal Fortreſs, and not his, to be made uſe of in our Accommodation with the Maratta; that is, I would exchange it for Baſein, and garriſon it until that Point can be accompliſhed. I agree to the Article reſpecting Ragonaut Rory, except that he ſhould not be permitted to reſide at Bombay; and if he could be removed entirely from that Coaſt to ſome other Reſidence, I think that one principal Cauſe and Inſtrument of future Quarrel with the Marattas would be thereby removed.

" On the Third and Fourth Articles of the Fourth Propoſition I am of Opinion, That we ought to make Peace with the Marattas at all Events, becauſe I deem it a Caſe of indiſpenſible Neceſſity which ſupercedes all other Conſiderations; it is undoubtedly much to be deſired that they ſhould join with us againſt Hyder Ally; but in our preſent Circumſtances it is of itſelf a Point of ſo much conſequence, and will give us ſo great a Relief to put an End to the War with the Marattas, that I think it ought not to be embarraſſed with any Conditions which they can reaſonably refuſe. All they deſire, as I underſtand, is that we ſhould reſtore them their Property: They are content to ſit down with the heavy Loſſes and Diſtreſſes they have ſuffered in the Courſe of our different Invaſions of their Country. I ſhall not object to the Mode propoſed for obtaining a ſpeedy Determination of the Queſtion, whether the Marattas will accede to our Propoſal or not. The Governor General knows better than I do what Dependence is to be placed in the Zeal and Friendſhip of Moodajee Booſla. For my own Part I fear Delays, and am inclined to think, that if Major Popham, or ſome other Officer from that Quarter, were ſent to Poonah with the Treaty in his Hand, it would be the ſhorteſt Courſe, and the moſt likely to ſucceed.

" I ſubmit to the Board whether, in caſe the Marattas ſhould not join in an offenſive Alliance with us, it would not be proper to inſert an Article in the Treaty, to provide for the free Paſſage of General Goddard's Army through their Country, and its Return home, ſuppoſing we ſhould at any Time think fit to demand it. I have not mentioned the Recal of Major Carnac's Detachment, nor any Thing that relates to the Arrangement of the Troops for the Defence of theſe Provinces, eſpecially to the Southward towards Cuttack, as I underſtand theſe Points have been duly attended to by the Commander in Chief, in whoſe Care and Judgement I confide. I think it would be proper to recommend it to Sir Eyre Coote, to inſiſt on the Reſtoration of Mr. Holland to his Rank in the Company's Service, from which he was diſmiſſed by a moſt arbitrary and unjuſt Reſolution of a Majority of the Select Committee, formed by the caſting Voice of the Preſident: It was an Indignity to this Government, which we ought to riſe at, as well as an Injury to Mr. Holland, which we are particularly bound to repair, ſince it was drawn upon him by his Compliance with our Inſtructions; I need hardly add that, in the preſent Juncture, his Services at the Nizam's Court may be turned to the moſt advantageous Account. An offenſive Alliance with this Prince ſeems to me one of the firſt Objects to be aimed at; and with ſome Conceſſions, which in Effect would coſt us nothing, I ſhould think it might eaſily be accompliſhed.

" But there ſtill is another Point which I deem eſſential to the Succeſs of every Meaſure we take for the Defence of the Carnatic, and which I muſt again beg Leave to bring into View. I mentioned it Yeſterday in Diſcourſe, and if we are unanimous, I ſhould have no Scruple to record my Opinion of it; if we are not unanimous, the Subject had better not be mentioned.

" Theſe Ideas are thrown together I confeſs with muſt leſs Care and Deliberation than the Importance of the Subject of them demanded. The Shortneſs of the Interval ſince the Cloſe of Yeſterday's Council,

Council, obliges me to defer entering into many other important Conſiderations which are ſuggeſted to me by a general View of our Situation.

" I beg Leave to annex an Abſtract State of our Treaſury, with the preſent and immediate Demands upon it.

" State of the Treaſury 25th September 1780.

Whole Balance	—	C. R^{s}	44,12,895	10 6	
Deduct Depoſits of private Property	—		—		16,51,653 15 1
Orders to the Mr Paymaſter General unpaid		—	—		17,59,556 0 0
Deduct the Civil Eſtabliſhment unpaid	—		—		15,91,441 0 0
Demand of the Mr. Pay. Mr. Genl for the 5th of next Month				—	5,47,000 0 0
Public Offices for October eſtimated	—		—		2,60,000 0 0
					58,09,650 15 1
26th September, Ordered this Day to Madras		—	—		15,00,000 0 0
		Curt Rup^{s}	—		73,09,650 15 1

(Signed) " P. Francis."

" The Governor General.—As the principal Part of the Reſolutions which I had propoſed for the preſent Deliberation of the Board depends on the Reliance which I had placed on the Diſpoſition of the Government of Berar, I requeſt that the Board will permit Beneram Pundit, the Miniſter of that Government, to attend them, and anſwer ſuch Queſtions as may be put to him, for the Purpoſe of ſatisfying all Doubts which may remain reſpecting the Credit which is to be given to the Propoſitions of that Government; he is now waiting, if the Board ſhould think proper to order his Attendance.

" Ordered, That Beneram Pundit be deſired to attend the Board.

" The Miniſter Beneram Pundit attends the Board accordingly.

" Mr. Nathaniel Middleton, being in waiting, is called in to interpret between the Board and Beneram Pundit.

" The Governor General.—With the Permiſſion of the Board I will propoſe the Firſt general Queſtion to be put to Beneram Pundit.

" Queſtion. The Board deſire to be informed generally of the Diſpoſition and Intention of your Maſter, the Rajah of Berar, reſpecting this Government, and that of the Paiſhwa in ſuch Points as have a Common Relation to both?

" Anſwer. To the Paiſhwa my Maſter is bound by his Faith and his Religion, to this Government by a ſtrict Friendſhip. The Rajah's Deſire is to become the Inſtrument of effecting a Reconciliation between the Paiſhwa and this Government.

" Queſtion. If we ſhall employ him as the Inſtrument of Peace, and the Mediator between us and the Paiſhwa, and the Terms that we may offer ſhall be ſuch as his Maſter ſhall approve, will he in ſuch Caſe be the Pledge to us for the Concurrence of the Paiſhwa; or in caſe he cannot anſwer for that Event, and our Offers ſhall be rejected, the Treaty be broken off, and the War continued, what Part will your Maſter take in ſuch a Caſe? Will he preſerve his Neutrality between us, or will he take a Part actually as our Friend or as our Enemy?

" Anſwer. The Rajah is willing to pledge himſelf, that in caſe he ſhould be employed as the Inſtrument of Peace, and the Mediator between the Two Governments, and the Terms propoſed by the Company ſhall be approved by him, that they will be accepted by the Paiſhwa; if they are not, the Rajah himſelf will become the Company's Ally, and aſſiſt the Company to the utmoſt of his Abilities.

Queſtion. You have ſaid that the Rajah of Berar is bound to the Paiſhwa by his Faith and Religion, and you now ſay that if the Paiſhwa will not ratify his Approbation of our Propoſals he will be our Ally, how can he be in any Caſe our Ally, if he is bound to the Paiſhwa by his Faith and Religion?

Anſwer. If the Terms propoſed by the Company be reaſonable, and rejected by the Paiſhwa, a Breach of Faith is on the Paiſhwa's Side, and my Maſter will be juſtified in becoming the Company's Ally. The Rajah has written to me, that in caſe the Paiſhwa rejects the Terms, he will quit his, the Paiſhwa's, Cauſe, and become the Company's Ally.

" Queſtion. In the Anſwers which you have given, have you ſpoken from Authority, or from your own Belief only?

" Anſwer. I have ſpoken from the Authority of my Maſter's Letters. I am an Ambaſſador.

" Queſtion

" Queſtion. If your Maſter is ſo deſirous of Friendſhip with the Engliſh, what Occaſion is there for keeping up a large Army at Cuttack, which he muſt do at a great Expence?

" Anſwer. My Maſter is obliged to keep up Appearances in Conformity to a Plan concerted by Nizam Ally Khan.

" Queſtion. With whom is that Plan concerted?

" Anſwer. With the Paiſhwa, with Nana Furneſſe.

" Queſtion. Is the Rajah, Party to that Agreement between the Nizam and the Paiſhwa?

" Anſwer. He is not. When Dewagur Pundit, the Dewan of Rajah Moodajee was at Letters were received from Nizam Ally Khan by him and Nana Furneſſe, declaring that as the Rajah, his Maſter, was the Means of introducing the Engliſh Army into Decan, Nizam Ally and Nana Furneſſe had formed a Plan in which he muſt take a Part, and that he muſt march an Army to invade Bengal.

" Queſtion. When did Chimnajee Baboo, Commander of the Army at Cuttack, receive his Diſpatches?

" Anſwer. The Army marched on the Day of the Duſſorah, and arrived at Cuttack at the End of Byſac. *

* The Day of the Duſſorah laſt Year was on the 5th of Cautic, which anſwers to the 19th October 1779. The laſt Day of Byſac 1187, anſwers to the 11th May 1780.

" Queſtion. In the Poſtſcript of the laſt Letter written to the Governor General by the Rajah, he refers the Governor General to you concerning Aids to be given to Chimnajee Booſlah, what were the Orders which you received upon this Subject?

" Anſwer. The Rajah writes to me, that a Supply of 16 Lack of Rupees will be needful, but that 12 Lack at all Events will be indiſpenſably neceſſary. This Money will not be loſt, it will be made good from the Acquiſitions that will be made by the unted * Operations of the Company's and Rajah's Troops.

* Sic in Orig.

" Queſtion. Were this Government to comply with ſuch a Requiſition, what Security or Pledge has it, or can it have, that the Army, for whoſe Benefit it is intended, will unite with us, or that it will not act againſt us?

" Anſwer. The Reputation of the Family of Booſla is of long ſtanding; it is not poſſible that the Rajah could ſacrifice or riſque it, or violate his Faith for a Conſideration of 12 or 16 Lacks of Rupees.

" Queſtion. Would you yourſelf take upon you to be anſwerable for the Fidelity of your Maſter in ſuch a Caſe?

" Anſwer. My Maſter writes, that he is the firm Friend of the Engliſh; to the Truth of which, God is Witneſs on the Faith of this Declaration. I can venture to pledge myſelf for my Maſter's Fidelity.

" Queſtion. Do you think this Aſſurance a ſufficient Voucher for this Government, acting in Truſt for the Intereſts of the Company, and of the King of England?

" Anſwer. Yes, I think it is. The Rajah himſelf has written to the Governor General, and pledged his Faith;—I pledge my Faith.

" Queſtion. Will you be perſonnally anſwerable to this Government, that the Force now at Cuttack will in no caſe enter our Provinces if not provoked by Hoſtilities on our Part?

" Anſwer. My Maſter's Faith is in my Hands, and pledged to me; on the Strength of that I can venture to be anſwerable, that the Force now at Cuttack will in no caſe enter the Company's Provinces, if not provoked by Hoſtilities on their Part.

" Queſtion. If that be the Caſe, can your Maſter have any Objection to the Removal of the Force from Cuttack if this Government ſhould think it neceſſary? The Poſition of it at Cuttack gives alarm to the People of theſe Provinces.

" Anſwer. He will have no Objection if this Government deſire they ſhould be removed.

" Queſtion. Will you be anſwerable; that if we deſire to ſend a Reinforcement to our Settlements on the Coaſt, their Paſſage ſhall not be oppoſed or interrupted by the Army now at Cuttack, or otherwiſe, by the Rajah?

" Anſwer. I will be anſwerable that they ſhall not be oppoſed or interrupted by the Army now at Cuttack, or otherwiſe, by the Rajah.

" Queſtion. Is the Rajah at this Time ſtronger in Forces, or richer in Revenue, than he was a Year and a Half ago, when General Goddard was at Hoſhunagabad?

" Anſwer. He is not richer in Revenue, but has more Troops.

" Queſtion. What Force had the Rajah on actual Eſtabliſhment at the Time when General Goddard was at Hoſhunabad? *

* Sic in Orig.

" Anſwer. He had 5,000 Horſe belonging to his own Houſe, and 10,000 the Property of the Riders, and 7,000 Patun Jagheerdars.

" Queſtion. What is his preſent Strength?

" Anſwer. I do not know my Maſter's preſent Force at Naighpore, but I know that 30,000 Horſe are at preſent at Cuttack.

" Queſtion. Are the whole of the 30,000 Horſe at Cuttack paid by your Maſter, or is any Number of them paid by the Miniſters at Poonah?

" Anſwer. They are entirely under my Maſter's Orders, and have no Connection with the Miniſters at Poonah.

" Queſtion. Are there not 5 or 6,000 Horſe in the Army at Cuttack, called Poonah Wallahs, or denominated from Poonah?

" Anſwer. There are Men who have come from Poonah, who may be called Poonah Wallahs, but they are all the Rajah's Servants.

" Queſtion. If Hyder Ally Cawn ſhould have entered into an Alliance with the French King, and have received from him ſuch an Aſſiſtance of Ships of War and Soldiers as would give him a Superiority in the War in which he is engaged with the Engliſh in the Carnatic, how do you underſtand that ſuch an Event would intereſt the Paiſhwa, and the other Rulers of the Maratta State?

" Anſwer. The Paiſhwa, and the other Rulers of the Maratta State, could not be pleaſed with ſuch an Event, as they would have every bad Conſequence to expect from ſuch an Acquiſition of Power and Strength to Hyder Ally, who is their natural Enemy, and has already conquered their Country as far as the Kiſtna, and with ſuch an Acceſſion of Strength would not ſtop there.

" Queſtion. In the Third of the Requiſitions ſtated by Dewagur Pundit on the Behalf of the Paiſhwa, it is expreſſed, that no Demand for the Reimburſement of Expences ſhall be made on either Side; Pundit Purdhan and the Engliſh Gentlemen, ſhall recover their heavy Expences by uniting themſelves and jointly attacking their Enemies; who do you underſtand to be meant by the Term Enemies?

" Anſwer. Hyder Naig; there is no other Enemy.

" The Board proceed to conſider the Governor General's Propoſitions delivered in his Minute recorded Yeſterday.

" Firſt, 'That the Sum of Fifteen Lacks of Rupees be immediately ſent to Fort St. George in 'Specie, and laden for that Purpoſe in the Honble. Company's Ship the Duke of Kingſton, and 'the other Veſſels which are now on the Point of ſailing for Madras.'

" *Sir Eyre Coote.—I agree to the Propoſition.*

" Mr. *Wheler.—I* am of Opinion that we cannot furniſh from our preſent Funds ſo large a Supply as Fifteen Lacks of Rupees; neither am I fully convinced that the Preſidency of Madras is in immediate Want of it; I am therefore for dividing the Sum propoſed to be ſent into equal Shares, remitting the Half of it by the Ships now deſtined to carry the Company's Troops, and the Remainder after the Change of the Monſoon.

" Mr. Francis.—My Opinion on the Governor General's ſeveral Propoſitions is contained in my Minute which I have already recorded.

" The Governor General.—I agree to the Queſtion. I ſhould be glad to join with the other Members of the Board in forming any Means for reſtricting the Preſidency of Fort St. George to the Application of this Money ſolely to their Military Charges.

" Reſolved, That the Sum of Fifteen Lacks of Rupees in Gold be immediately ſent to Fort St. George in Specie, and laden for that Purpoſe on the Honble. Company's Ship the Duke of Kingſton, and the other Veſſels which are now on the Point of ſailing for Madras.

" Read, the Governor General's Second Propoſition; viz.

" Second, 'That the Treaſure depoſited in the new Fort, including the Moiety lately taken 'from it, be all replaced in the general Treaſury to be applied to the preceding Purpoſe, and other 'Exigencies of this Government.'

" Sir Eyre Coote.—I agree to the Propoſition.

" Mr. Wheeler.—I conſider the Depoſit of Treaſure now in the New Fort to have been made for the Purpoſe of defraying ſuch extraordinary Demands as this Government, from Time to Time, might become ſubjected to, either from the Effects of War, or other public Calamities. I underſtand that a Moiety of the original Depoſit hath already been replaced in the general Treaſury, with a View of applying the ſame to our preſent Exigencies; and I do not believe we ſhall be enabled to defray the preſent unſatisfied and growing Demands upon our Treaſury without the Application of the Remainder, or without every other poſſible Means of Exertion. I am therefore for applying it agreeable to the Terms of the Queſtion.

" Reſoved, That the Treaſure depoſited in the New Fort, including the Moiety lately taken from it, be all replaced in the General Treaſury, to be applied to the Purpoſe mentioned in the foregoing Reſolution, and to the other Exigencies of this Government.

" Read, the Governor General's Third Propoſition, viz.

' That a large Detachment of European Infantry and Artillery be immediately ſent to Fort ' St. George by the Duke of Kingſton, and the other Veſſels which are now on the Point of ſailing ' for Madras; and that the Commander in Chief be requeſted to proceed himſelf immediately to the ' Coaſt, and take the Command of the Army on that Eſtabliſhment.'

" The Commander in Chief delivers in the following Minute.

" Sir Eyre Coote.—I cannot help feeling, in the higheſt Senſe, the diſtinguiſhed Terms in which the Governor General has ſolicited me to undertake the immediate Command of the Forces on the Coaſt of Coromandel; nor am I leſs ſenſible of the Honour done me by the other Members of this Board, by their having joined in a Requiſition ſo much to my Credit.

" I ſhould do Injuſtice to thoſe Motives which actuated my Return to India, and to the Expectations which both my King and my Country formed from it, did I not on this Occaſion expreſs my Readineſs with which I now conſent to undertake a Service, on the Succeſs of which the Honour and Intereſts of the Britiſh Nation are ſo materially concerned; and I flatter myſelf I enter upon the arduous Taſk with a Degree of Zeal and Fortitude equal to what I did many Years ago in a ſimilar Conjuncture of the Affairs of both the Company and Nation in that Part of India, and that my Efforts will be crowned with Succeſs. At the ſame Time I ſcruple not to confeſs that I feel myſelf embracing the Road to Honour and Glory under a Diſadvantage which I did not then experience, a Diminution of perſonal Activity which the Addition of Years has involuntarily entailed upon me.

" The other Difficulties which I have to encounter, in taking upon the Command of an Army diſheartened and diſpirited by the late unfortunate Defeat by Hyder Ally Cawn, the Governor General has ſufficiently elucidated; it only therefore is left for me to add the further Conſideration of my having to overcome an Enemy, who can bring Treble the Number of our Forces into the Field, and who from their late Conduct appear to be in higher Diſcipline than any we have yet encountered among the native Powers of Hindoſtan.

" Whilſt the Steps which are neceſſary to be taken for the Security of our Poſſeſſions here, and for the Relief of our Diſtreſſes at Madras, from their Nature oblige us to relinquiſh the Proſecution of the offenſive War, which we had commenced againſt the Marattas, from this Side of India; I agree intirely in Opinion with the Governor General, that Orders ſhould be ſent in the Manner and on the Principle he has pointed out for a Ceſſation of Hoſtilities in the reſpective Quarters on the other Side of India; and that Propoſals for Peace and an offenſive and defenſive Alliance, on the Terms he has ſtated, ſhould be immediately offered to them. I cannot help looking upon the preſent Seaſon as one favourable for that Purpoſe, as I conceive the late Victory Hyder Ally has obtained over us, added to his Conduct in latter Years, whereby he has evinced a Diſpoſition to encroach upon the Maratta Dominions, will render them extremely jealous of his Power, and induce them rather to wiſh for a Connection with us, than to act in Concert with him againſt us.

" The very accurate and juſt Deſcription which the Governor General has given of the Danger that at preſent impends the Intereſts of the Britiſh Nation in India, I am perſuaded will have the ſame Influence upon the Mind of every other Member of this Board, as it has had upon mine, and tend to produce that Freedom of Deliberation, Concord and Unanimity in our Councils, ſo neceſſary for the public Good. In full Confidence that no other View can exiſt amongſt us, I with the greater Chearfulneſs undertake that Part of the Service which falls to the Lot of the Station I fill; and, relying on the Support of this Board therein, moſt readily repoſe my military Character and Credit in their Hands.

" In Conformity to the Requeſt made at the Cloſe of the Governor General's Minute, I now deliver in a State of our Force on this Eſtabliſhment, and of the Diſpoſition propoſed to be made of it, for the Protection of theſe Provinces, and for the Relief of Madras.

" Commander in Chief.

" The preſent Strength in Troops at the upper Stations at and above Chunarghur is as follows;

2 Regiments of Cavalry.
3 Companies of Artillery.
Capt. Mayaffers Detᵗ of dº.
1 Regiment of Europeans, ½ Battⁿ.
Company of Rangers.
21 Battallions of Sepoys.

" Propoſed Diſpoſition of ſaid Corps.

" Gwolior, to be garriſoned with 3 Battⁿˢ of Sepoys.
Captⁿ Mayaffers Detachmᵗ of Artillery, and the Compʸ of Rangers.
The Four remaining Battalions at preſent with Major Carnac to return, and the Detachment of Cavalry to join the 2ᵈ and 3ᵈ Regiments.

" Daranaghur, One Battallion of Company's Sepoys.
1000 of the Viziers Infantry, and ſuch a Number of Fyzulah Cawn's Troops as may be thought neceſſary.

" An

" An Army to be formed at Allahabad, or in any centrical Poſition thought moſt eligible, of the following Troops:

2 Companies of Artillery.
* Sic in Orig. * 2nd Regiments of Europeans.
10 Battalions of Sepoys.
1000 of the Viziers Candahar or beſt Horſe. If 1000 cannot be obtained, as many as can poſſibly join.

N. B. From the above Two Companies of Artillery, the ſmall Detachments at Dananjar and Chunar Ghur to be ſupplied.

" Chunar Ghur, One Battallion of Sepoys as uſual.

" Bahar Province, The Two Regiments of Cavalry to be ordered down there, to be joined by Four Battalions of Sepoys, the Third Company of Artillery from the Field, and 1000 Horſe, if they can be procured, from the Rajah of Benares; Boggah Battalion to make one of the 4 Battalions for this Service.

" Thus the Troops at the upper Stations to be diſpoſed of for the preſent, and there will then remain 3 Battalions of Sepoys from the before named Number of 21 Battallions, for other Services; our Force, with ſaid 3 Battalions included, at and below Berrampore, will then be

Artillery, 6 Companies, and the Remainder of Capt. Mayaffers Company.
Firſt and Third Regiments of Europeans, and 18 Battalions of Sepoys.

" To be employed as follows:

At Berhampore, covering the City, or ready for any other Service that might occur. } One Company of Artillery. One Battalion of Europeans. And Four Battallions of Sepoys.

" Madras Detachment, the Proceeding of the Troops by Land or Sea for this Service ought to be determined by the Part the Maratta Force at Cuttac mean to take. If they are Friends, our Armament for the Coaſt might proceed by Land; but if they are hoſtile to our Cauſe, as one of the firſt Objects is to aſſiſt the Preſidency of Madras as ſoon as poſſible, the Detachment for that Service ſhould proceed by Sea: But whether the Sepoys can be brought voluntarily to embark, is by no Means a certain Point. If the Embarkation could be adopted, the Detachment ſhould conſiſt of

{ 2 Companies of Artillery,
1 Battalion of 3d Regiment, completed to 300 Rank and File, and
4 Battal' of Sepoys.

" This is on a Suppoſition, that the Cattack Forces are in Oppoſition to us, in which Caſe 4 Battalions at leaſt will be wanted on the Midnapore Side, with the preſent Detachment of Artillery there, and the Chain of Troops as above ſtationed, will be able to oppoſe the Enemy whenever they attempt entering the Provinces. There will alſo then remain for the immediate Protection of Fort William, and this Quarter,

3 Companies of Artillery,
1 Regiment of Europeans,
6 Battal' of Sepoys.

" But if it can be proved that we have no Oppoſition to apprehend from the Force at Cuttac, I then recommend, that the Army for the Aſſiſtance of Madras ſhould proceed by Land;

viz. { Two Companies of Artillery.
4 Battalions of Europeans, 300 Rank and File.
8 Battalions of Sepoys, with a light Field Train.

" They would arrive by Land in the Carnatic at this Seaſon of the Year as ſoon as by Embarkation, even if the Sepoys would without Heſitation embark, for ſuch a Force as mentioned could not with Safety proceed by Sea from hence till late in November or December, when the Height of the N. E. Monſoon will be abated on the Coaſt. From the Movement by Land, the different Country Powers will alſo be awed, the Nizam particularly kept in check, and Hyder's Troops oppoſed, if they ſhould again make the Circars their Objects. If this Mode is adopted, * Sic in Orig. as it is on the Suppoſition * as it is on the Suppoſition that the Marrattas at Cuttac are not inimical, the upper Stations will not then want ſuch a powerful Chain of Troops for their Defence; and from the connected Poſition of the different Bodies of Troops, ſtationed as before mentioned, any Part of them, when wanted on Exigency, can be drawn down for the Protection of Bengal in general, or of the Preſidency in particular. If the 8 Battalions were to proceed to Madras by Land, there would be no Occaſion for Four Battalions at Midnapore—Two would be ſufficient for the Service required there, and theſe might be drawn from Berrampore that the Force at the Preſidency might not be weakened.

" The indepedendant Corps at Chittagong, and Ramgur Light Infantry, are npt included in the above Diſpoſition of the Troops; they are ſuppoſed occupying their preſent Poſts, as well as the Corps of Militia at their different Stations.

" Calcutta, September 27th, 1780.

" The

" The Governor General.—The Seaſon of the Year, and the marſhy State of the Roads through which an Army muſt paſs from hence to the Carnatic, eſpecially through the Diſtricts of Midnapore, Jellaſore, and the whole Province of Oriſſa, will render it impoſſible to march an Army by Land until late in the Month of November. We have not Shipping to tranſport the requiſite Number of Sepoys by Sea; neither if we had, would it avail us. The Remembrance and Tradition of the paſt Sufferings of thoſe who have been tranſported by that Mode of Conveyance, would be an inſuperable Objection on the Part of the Sepoys themſelves, eſpecially at this Seaſon; I muſt beg Leave therefore to change the Terms of the Queſtion, and ſubſtitute for what we could wiſh to do, what we can do. I ſhould agree with the General, and do agree with him in the Propoſition of ſending a conſiderable Reinforcement of Sepoys, as well as Europeans to Madraſs. But this muſt reſt for a future Reſolution. And I mean to add on another Day a freſh Motion to that Effect. For the preſent Queſtion, I propoſe from the Terms of the General's Minute, that Two Companies of Artillery, with their Complement of Laſcars, and One Battalion of One of the Regiments of Infantry, completed to 300 Rank and File, be immediately embarked, as many as can be on Board the Duke of Kingſton, the Reſt on any of the Ships offered for that Service by Mr. Ferguſſon.

" Agreed, That the Commander in Chief be requeſted to proceed himſelf immediately to the Coaſt, and to take the Command of the Army upon that Eſtabliſhment.

" Reſolved, That Two Companies of Artillery, with their Complement of Laſcars, and One Battalion of One of the Regiments of Infantry, completed to 300 Rank and File, be immediately embarked for the Preſidency of Fort St. George; as many as can be on board the Duke of Kingſton, and the Reſt on any of the Ships offered for that Service by Mr. Ferguſſon.

" Ordered, The Returns be made to the Commander in Chief of the Number of Ships offered by Mr. Ferguſon, and of the Number of Men that each Ship can carry.

" Agreed, to the Diſpoſition of the Troops propoſed by the Commander in Chief; and ordered, That a Copy of it be ſent to Brigadier General Stibbert, after the Departure of Sir Eyre Coote, that he may iſſue the neceſſary Orders for carrying the ſame into Execution, when the Seaſon will permit."

" Adjourned till To-morrow Morning at Ten o'Clock.

(No Signature at the End of the Conſultation.)

The Counſel for the Defendant ſtated, they would next read a Propoſition of the Commander in Chief for a Detachment to be ſent by Land to Madras, when the Seaſon would permit.

Read, the following Extract of a Conſultation of the 3d October 1780, beginning at Page 464 of the ſame Book:

" Fort William, the 3d October, 1780.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires;
and
Lieutenant General Sir Eyre Coote K. B.

Secret Dept. Tueſday.

" The Commander in Chief delivers in the following Minute:

" Sir Eyre Coote.—The great Loſs of Troops upon the Coaſt, of which we have daily Confirmation, and the diſpirited Situation to which thoſe remaining are reduced, will render the ſmall Number now going by Sea very inadequate to the Service expected, unleſs ſupported by a Detachment of Sepoys to march by Land into the Circars, the Defence of which muſt now be extremely weakened by the Neceſſity there muſt have been of drawing the Troops ſtationed for their Defence towards the Preſidency; I therefore propoſe, that Six or Eight Battalions of Sepoys, with their Guns, and One Company of Artillery, be ordered to be in Readineſs to march through the Cuttack Road towards Madras, and the Order for their March to depend upon the Hopes we have given us, that the Maratta Army, now lying there, will either join us or return; as without this, or a Peace concluded with the Marattas, I never can adviſe any Detachment of Troops marching from hence to the Coaſt.

Minute from Sir Eyre Coote.

(Signed) " Eyre Coote."

" Agreed to the Propoſition made by the Commander in Chief.

(Signed at the End of the Conſultation)
" Warren Haſtings,
P. Francis,
Edward Wheler."

The Counſel for the Defendant ſtated, That in Conſequence of the Reſolution of the Board, juſt read, the Defendant on the 26th of the ſame Month brought forward the Propoſition of the Commander in Chief for immediate Execution, and they ſhould proceed to read his Minute upon that Occaſion, and the Reſolution in conſequence.

Read, the following Extract of a Conſultation of the 26th October 1780, beginning at Page 627 of the ſame Book.

" Fort William, the 26th October 1780.

Secret Dept. Thurſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Lieutenant Sir Eyre Coote abſent on Service.

" The Governor General.—In Conſultation the 3d October laſt, it was recommended by the Commander in Chief, and reſolved, That Six or Eight Battalions of Sepoys, with their Guns and One Company of Artillery, be ordered to be in Readineſs to march through the Cuttack Road towards Madras, the Order for their March being to depend on the Hopes given us, that the Maratta Army, now lying there, will either join us or return. To form a Detachment of this Strength, will require many preparatory Arrangements, which can hardly be compleated in leſs Time than a Month, or perhaps Six Weeks from its firſt Formation. The fair Seaſon is now begun, and the Anſwers from the Government of Berar to our late Diſpatches muſt be expected much within the Courſe of the enſuing Month; if theſe are favourable, the Detachment ought not to loſe an Inſtant, after their Arrival, in commencing its March: I myſelf have every Reaſon to believe, that their Anſwer will be as favourable as we can wiſh. Theſe Reaſons I ſhall now communicate to the Board; in the mean Time, I move, That Orders be immediately iſſued for forming the Detachment, and that it do conſiſt of One Company of Artillery and Six Battalions of Sepoys, with their Guns. I take the Liberty to recommend, that Lieut. Colonel Pearſe be appointed to the Command of this Detachment, and Major Edmonſton* to be the Second in Command. The Firſt of theſe Recommendations, I can venture to aſſure the Board, will be agreeable to the Commander in Chief, and that it was his Intention to have offered it himſelf. The Second proceeds ſolely from my Opinion of the Qualifications of Major Edmonſtone, whom I know only as an Officer, neither is he acquainted with my preſent Wiſhes upon this Subject.

* Sic in Orig.

" If the Board ſhall approve of thoſe Propoſitions, I further beg Leave to ſuggeſt the Expediency of replacing the Number which will be thus taken from our native Infantry, by ſuch Means as ſhall be adjudged the moſt effectual, and leaſt burthenſome in their Expence; that which has occurred to me, and which I ſubmit to the Conſiderations* of the Board, is to augment all the Battalions which remain, by an equal Number of Rank and File diſtributed amongſt them, to be hereafter drafted and formed into regular Battalions of the eſtabliſhed Strength, when they ſhall be required for actual Service. This Expedient, if the Board approves it, may be referred to the Provincial Commander in Chief, and his Opinion upon it deſired, or, in place of it, any other which he may judge more ſuitable to the End propoſed. (*a*)

* Sic in Orig.

(Signed at the End of the Conſultation)
" P. Francis."

Read, a further Extract from the ſame Conſultation, beginning at Page 631 of the ſame Book.

" Agreed, That Orders be immediately iſſued for forming a Detachment to proceed over Land towards Madras; that the ſame do conſiſt of One Company of Artillery and Six Battalions of Sepoys, with their Guns; and that Brigadier General Stibbert be directed to carry this Reſolution into Execution. (*b*.)

The Counſel for the Defendant ſtated, That the Board having come to this Reſolution, of referring it to General Stibbert in the Abſence of Sir Eyre Coote, who was gone to the Coaſt, they ſhould read certain Letters from General Stibbert to the Board, which immediately preceded the Meaſure in Queſtion.

(*a*) Vide Appendix, N° CCXXXII.

(*b*) Vide Appendix, ibid.

Read,

Read, the following Extract of a Conſultation of the 30th October 1780, beginning at Page 634 of the ſame Book.

" Fort William, the 30th October 1780.

" At a Council; Preſent, Secret Dep. Monday.
The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Lieutenant General Sir Eyre Coote abſent on Service.

" The Proceedings of the 26th Inſtant read and approved.

" Read, the following Letter from Brigadier General Stibbert, encloſing an Addreſs to Lieutenant General Sir Eyre Coote, from Major Briſco.

" Gentlemen,

" The encloſed Letter from Major Briſco, who commands the Detachment poſted at Daranagur, being addreſſed officially to Lieutenant General Sir Eyre Coote, I opened it Yeſterday on its being preſented to me. As it contains ſome Information by no Means unintereſting at this Juncture, I have judged it proper to lay it before you.

" The Seaſon approaching, when the Upper Rohilcund will be conſiderably expoſed to the Inroads of the Seicks or other Adventurers from the Weſtern Side of the Ganges, owing to the great Number of Fords which lead acroſs that River in the dry Months, I purpoſe reinforcing Major Briſco by a Battalion from Futty Ghurr (Three Battalions having till lately been always ſtationed there), unleſs the Board ſhould offer any Objection to the Meaſure; however, when the Extent of Country, and numerous Gauts to be defended by the Daranagur Detachment is conſidered, I flatter myſelf, Gentlemen, that you will agree to this Expediency: I preſume, that, on a Peruſal of the Major's Letter, the Neceſſity of preſſing both the Vizier and Fyzoolah Khan to contribute effectually to the Protection of the Rohilcund, will not fail to appear to the Board.

" Fort William,
28th October 1780.

" I have the Honour, &c.
(Signed) G. Stibbert."

" Sir,

" I had the Honour of addreſſing you twice on your Way down to the Preſidency, reſpecting this Station; and I now beg Leave to give you every Intelligence of my Tranſactions in the Protection of Rohilcund. Encloſure in General Stibbert's Letter. From Major Briſco to Lieut. Gen. Sir E. Coote.

" The River Ganges is already fallen ſo very low I am under the Neceſſity of ſending large Detachments to guard the Gauts and Paſſes on the River, as the Seicks and Goodreis (Enemies of this Country, the Nabob Vizier's Dominions) are beginning to croſs the Ganges, and committing Depredations in Rohilcund; the Troops I have detached in conſequence, will prevent them.

" The Goodries are an Enemy in Poſſeſſion of the Country on the oppoſite Side the Ganges to Rohilcund, and are conſtantly very troubleſome. The Seeicks are a People who inhabit a Country a great Way to the Northward of this, bordering on Timur Shaw's Territories; and, as they are a Set of Free Booters, they are generally at War with ſome of the neighbouring Powers, and frequently make Viſits, and want to invade Rohilcund; and if it were not for the Detachment at Daranagur, they would, in a very ſhort Time, lay waſte the whole Country, and only wait an Opportunity.

" The Seicks and Goodrries * are moſtly Horſemen, and are a good deal like the Marrattas in that, as they commence Hoſtilities wherever they go, and have made ſeveral Attempts on Rohilcund at different Times Three or Four Years back; however, at preſent there are no very large Body of them aſſembled on theſe Frontiers, they are only Parties of them ſcattered about; but the Seicks at Times can collect a very large Army together, Thirty or Forty thouſand Men. * Sic in Orig.

" I have Information, that Neizop Cawn is tampering with the Seicks, uſing Endeavours to form a Treaty with them. I do not know what Deſigns Neizop Cawn may have, but he is making great Preparations for War, &c.

" On my being appointed, and taking the Command at Daranagur, I was not honoured with any Inſtructions from you regarding the Nabob at Rampore, Fyzoola Cawn's, Troops. I have only Five hundred of his Horſe, and the Nabob in his Agreement with Government is obliged to keep up Five thouſand Troops, for aſſiſting in the Defence of Rohilcund. A few Months ago, Three Battalions were ſtationed here with Colonel Muir, beſides a Body of the Nabob Fyzoola Cawn's Cavalry, and they were well employed, and had enough to do in protecting the Country from Invaſion. The Command is greatly reduced; One Battalion taken away, and Fyzoola Cawn has not afforded more than Five hundred Men ſince I have been here, which is a great deal too ſmall a Force from him: As I acquainted you in my former Letters, too † Battalions were too ſmall to command Rohilcund from Invaſion; I want a larger Detachment from the Nabob. † Sic in Orig.

" I under-

" I underſtood you intended ordering the Nabob to furniſh Fifteen hundred Men, when you recalled the Battalion; and it is abſolutely neceſſary that he ſhould, as they are very much wanted on the Frontier Station, where I have my Detachment.

" I hope to be honoured with your Directions relative to Fyzoola Cawn's Troops as ſoon as convenient. I wait the Honour of your Inſtructions.

I have the Honour to be, &c.
(Signed) H. Briſco."

" Ordered, That the above Letters lie for Conſideration until our next Meeting.

" P. Francis,
Edw[d] Wheler."

Read, the following Extract of a Conſultation of the 2d November 1780, beginning at Page 645 of the ſame Book.

" Fort William, 2d November 1780.

Secret Dep. Thurſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Lieutenant General Sir Eyre Coote abſent on Service.

" Read, the following Letters from Brigadier General Stibbert.

" Gentlemen,

* Sic in Orig.

" I was Yeſterday honoured with your Letter of the * 6th Inſtant, informing me of your Reſolution to detach, towards Madras, One Company of European Artillery, and Six Battalions of Sepoys, with their Guns, and deſiring me to iſſue immediately the neceſſary Orders for carrying this Meaſure into Effect.

" Your Inſtructions I beg you will be aſſured ſhall be obeyed with all poſſible Diſpatch; but as you have omitted acquainting me where you would chuſe to have the Detachment aſſembled, I find myſelf neceſſitated to retard my Proceedings till you ſhall be pleaſed to ſatisfy me on this Head.

" In the mean Time, I hold it my Duty to ſtate to you the Strength of the Forces at preſent ſtationed at Fort William, and the other Parts of Bengal, from which the Detachment ordered muſt neceſſarily be formed.

	European Artillery, Non-commiſſioned, and Private.	European Infantry, Non-commiſſioned, and Private.	Battalions of Sepoys.
Fort William, Barrackpore, and Chandernagore	232	341	6
Berhampore — — — — —	99	688	4
Midnapore and Talajore — — —	49	—	4
Total, including the Sick — —	380	1029	14

" After deducting this Force One Company of Artillery and Six Battalions of Sepoys, there will only remain for the immediate Protection of Fort William and the reſt of Bengal (excluſive of Invalids and the Militia),

Artillery Europeans — — — 280
Infantry ditto — — — 1029
Battalions of Sepoys — — — 8

which, conſidering that there is juſt now a large Maratta Army aſſembled at Cuttack, and that we are at the Height of War with two formidable European Powers, I conceive to be very inadequate to this Purpoſe.

" Should it be urged, that the Recruits ordered to be levied will ſupply the Place of the Troops deſigned to be detached, I muſt obſerve, that it will be impoſſible, let the Care and Attention of the Officers be ever ſo unremitted, to diſcipline and train theſe Recruits ſo as to render them fit for actual Service, in leſs (to ſpeak within Bounds) than Six or Eight Months. Reſpecting the Mode eligible to be purſued in raiſing and forming theſe Levies, I ſhall do myſelf the Honour of addreſſing the Board in a ſeparate Letter.

" On the other hand, there appears to me no leſs Difficulty in the Meaſure of ſtrengthening the Force below, by the Recal of ſo conſiderable a Part of the Troops ſtationed in the Vizier's Provinces beyond the Jumma, as one Company of European Artillery, the Two Regiments of Cavalry, and Six Battalions of Sepoys, which I find to have been the Propoſition of Sir Eyre Coote; for I

ſubmit to the Board, whether it would be expedient or proper to reduce the Army in that Quarter ſo materially, at a Time when all Accounts agree in repreſenting that Nujjif Cawn is making great Preparations for taking the Field, when the Sieks are in Motion, and when it is confidently ſaid, that Madhajie Scindia is ſetting on foot an Expedition towards Gualiar and the adjacent Country. Such being the apparent Situation of Affairs, I muſt offer it as my Opinion, that, having a Regard to the Security of the Upper Provinces, and to the Maintenance of our Conſequence in that Part of the Country, we cannot withdraw from thence, at this critical Period, a greater Body of Troops than will be ſufficient to aſſiſt in the Defence of Patna and the Bahar Province. (*a*)

(Signed at the End of the Letter)

" Fort William, 29 October, 1780. " G. Stibbert."

(No Signature at the End of the Conſultation.)

The Counſel for the Defendant informed the Houſe, That the Board, on the 2d November 1780, after taking all theſe Letters into Conſideration, formed the Reſolution in queſtion, of demanding from the Rajah Cheit Sing ſuch Part of his Cavalry as he could ſpare for the Aſſiſtance of the Company; which Reſolution had already been given in Evidence by the Managers for the Commons, and which they deſired might be again read.

Read, the Same, from the printed Minutes, beginning at Page 97 of the ſame.

" Fort William, the 2d November 1780.

" At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, Preſident;

Philip Francis, Edward Wheler, } Eſquires.

Lieutenant General Sir Eyre Coote abſent on Service.

" The Proceedings of the 30th ultimo read and approved.

" Read again the Letter from Brigadier General Stibbert, dated 28th October, and recorded on the laſt Day's Proceedings.

" Agreed alſo, that the Governor General be requeſted to write to the Rajah of Benares, requiring him to furniſh ſuch Part of his Cavalry, entained in his Service, as he can ſpare for the Service of this Government, and to inform what Numbers he can ſupply; that a Letter be written to Mr. Francis Fowke, directing him to make the ſame Requiſition of the Raja, and at the ſame Time, to obviate any Jealouſy which the Raja may conceive that this may be converted to a permanent Impoſition upon him, by aſſuring him, that the Board will require the Services of theſe Forces no longer than while the preſent War laſts, after which they will be returned."

Rajah of Benares to ſupply a Part of his Cavalry for the Service of the Company.

To prove the Communication of this Reſolution and Demand to the Rajah, and to ſhew that any Ideas he might entertain of its being intended as a permanent Impoſition were removed by the Reſident at the Time:

Read, from Book 535 already delivered in, the following Letter from the Reſident at Benares to the Governor General, dated the 7th December 1780, beginning at Page 324 of the ſame Book.

" I have received the Honour of your Letter of the 2d ultimo, reſpecting the Demand you had thought proper to make of a Part of the Raja's Cavalry. In explaining to him the Reaſons of the Demand, I have endeavoured to obviate the Apprehenſions he might entertain of its being converted into a permanent Impoſition, and have told him, that the Services of this Force will be required no longer than the Continuance of the preſent War. I have not yet received his Anſwer to the Honourable the Governor General's Perwannah.

" I have likewiſe to acknowledge the Honour of your Letter, dated the 2d ultimo, directing that no Advance of Money be made to Officers on their March, without your expreſs Orders, to which I ſhall pay the ſtricteſt Attention.

" I have the Honour to be,
Honourable Sir and Sirs,
With the greateſt Reſpect,
Your, &c."

(*a*) Vide Appendix, N° CCXXXIII.

To ſhew the Conduct of Cheit Sing with reſpect to this Requiſition:

Read, the following Letter from the Reſident at Benares to the Governor General, dated the 16th Deeember 1780, beginning at Page 326 of the ſame Book.

" To the Honble. Warren Haſtings, Eſq^r. Governor General, &c. &c. &c. &c.

" Benares, 16th December 1680. 1780

" Sir,

" Fourteen Days are now elapſed ſince I delivered to the Rajah your Perwannah, requiring to know the Number of his Horſe which he could detach for the Company's Service. I have frequently preſſed him for an Anſwer, which he continually delays, and it appears to me that theſe Delays are ſtudied. As my own Remonſtrances have been ineffectual, it becomes alſo incumbent upon me to inform you that the Rajah, for ſome Months paſt, has been exceedingly dilatory in the Payment of the Money aſſigned to Saadut Ally's Monthly Allowance. He has not, to this Day, diſcharged the Amount which became due on the 4th of laſt Month. The Bills for the Monthly Kiſt, which uſed to be made out by the 15th of the Month, are now never ready till the End of it. It is true, there is as yet no Difference in the Date of Payment; but theſe Delays have been gradually increaſing, and are the Effect of an Inattention to Buſineſs, which muſt in the End produce a Failure of Payment.

" I have the Honour to be,
Sir,
Your moſt faithful and moſt obedient Servant,
" F. F. Reſident."

Read, the following Letter from the Reſident at Benares to the Governor General, dated 7 January 1781, beginning at Page 330 of the ſame Book.

" Benares, 7th January 1781.

" To the Honble. Warren Haſtings Eſq^r Governor General, &c^a. &c^a. &c^a.
" Fort William.

" Sir,

" I have this Day received the encloſed Anſwer from the Rajah to your Perwannah, reſpecting a Detachment of his Cavalry for the Service of the Honble. Company. He has informed me, that he *ſhall* not be able to * detach more than Two hundred and Fifty Horſe, the Remainder being abſolutely neceſſary for the Collection of his Revenues.

* Sic in Orig.

" I have the Honour to be,
Sir,
" Yours, &c^a. &c^a. &c^a."

The Counſel for the Defendant ſtated, That they wiſhed to refer the Houſe to the Letter from the Reſident of Benares to the Governor General, dated the 16th December 1780, above read, (*a*) for the additional Purpoſe of eſtabliſhing the Defendant's Complaints againſt Cheit Sing, for Unpunctuality in the Payment of his Tribute to the Company; under which Head they ſhould alſo read another Letter, written about this Time to Mr. Middleton, by the Reſident at Benares, and containing ſimilar Complaints.

Read, from Mr. Middleton's Letter Book, marked A, already delivered in, the following Letter from Mr. Fowke to Mr. Middleton, dated January 4th 1781, beginning at Page 31 of the ſame Book.

" To Nathaniel Middleton Eſq^re.

" Sir,

" I have the Pleaſure to ſend you Raja Cheit Sing's Anſwer to your Letter, encloſed to me in Mr. Johnſon's Letter of the 8th of laſt Month. I have urged the Payment of the Balance and Arrears of Khyragur in the ſtrongeſt Terms. The Rajah perſiſts in denying any Money whatever to be due from him on that Account: Though convinced of the Falſehood of this, I know not the Documents requiſite to confute him. It may not be improper to inform you, that the Rajah is become exceeding negligent in Buſineſs, and is frequently in Arrears in the Payment of his Tribute to the Honourable Company.

" Benares, Jan. 4th 1781.

" I am, Sir, &c.
" F. Fowke."

(*a*) Vide ſupra in this Page.

The Counſel for the Defendant ſtated, That they ſhould next read certain Letters from Mr. Graham and Mr. Fowke to the Board, for Two Purpoſes; Firſt, in further Proof of the Unpunctuality of Cheit Sing in the Diſcharge of his Tribute; and, Secondly, to ſhew that it was not the Cuſtom of that Country to make Payments One Month under the other, as had been alleged by the Managers for the Commons.

Read, the following Extract from the printed Minutes, beginning at Page 89 of the ſame.

" Fort William, 26th Auguſt 1779. Secret Dep. Thurſday.

" At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, Preſident;
Richard Barwell,
Philip Francis,
Edward Wheler,
} Eſquires.
Lieutenant General Sir Eyre Coote, K. B.

" Read and approved the Proceedings of the 16th Inſtant.

" Read the following Letters from Mr. Thomas Graham.

" Honourable Sir and Sirs,

" Immediately on the Receipt of your Honourable Board's Letter of the 19th ultimo, directing me to demand of Rajah Cheyt Sing Payment of the Sum of Five Lacks of Muchlidar Rupees, as his annual Proportion of the Burthen of the preſent War with France, I waited upon him, and at the ſame that I communicated the Orders of your Honourable Board to myſelf, I delivered to him the Honourable the Governor General's Letter to him in Confirmation thereof. He then gave me for Anſwer, that he had not the Ability to diſcharge the Demand. As this was ſimilar to the Anſwer he gave me when I demanded Payment of his Subſidy for the laſt Year, I did not conſider it as a definitive one, and therefore continued in renewing my Demand every Second Day; finding, however, that he holds to the Terms of his firſt Reply, and ſeeing no Probability of a ſpeedy Change in his Sentiments, I am unavoidably reduced to the Neceſſity of applying for your Honourable Board's further Inſtructions on this Head. Until they arrive, I ſhall follow the Orders already ſent me, by repeating my Requeſt for Payment every Second or Third Day.

" Benares, the 16th Auguſt 1779.

" I have the Honour to be, &c.
(Signed) " Thos Graham, Reſident."

* " Dr. Rajah Cheyt Sing in Account of Revenue with the Honourable Company. Cr.

1779 Auguſt * Department Conſultation of this Day.	4th	To Account Revenue due this Day from the Rajah, being the Amount of his 1ſt Kiſt, Calcutta Sicca Rupees. 185,145 6 16 1.	1,98,431	4	12	1779. Auguſt	5	By Amount Revenue received from the Rajah, being in full of his 1ſt Kiſt, as follows: Received this Day —	40,000		
							8	Dº Dº —	45,000		
							13	Dº Dº —	15,000		
							14	Dº Dº —	21,500		
							15	Dº Dº —	76,931	4	12
		Standard Gourſhay Rupees,	1,98,431	4	12			Standard Gourſhay Rupees,	1,98,431	4	12

" Benares, the 15th Auguſt 1779.
Errors excepted.

" THOMAS GRAHAM, Reſident."

Read, a further Extract from the printed Minutes, beginning at Page 93, of the ſame.

" Fort William the 7th September 1780. Secret Conſ

" At a Council; Preſent,

The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler Eſquire,
and
Lieutenant General Sir Eyre Coote, K. B.
Mr. Francis indiſpoſed.

" Read the following Letter from the Reſident at Benares.

" Honourable

" Honourable Sir and Sirs,

" In Obedience to your Orders of the 22d ultimo, I have demanded of Rajah Cheyt Sing the Sum of Five Lacks of Muchlidar Rupees, as his Proportion of the Burden of the preſent War with France. The Rajah has deſired me to inform you of his intire Submiſſion to Commands. He has promiſed to pay One Lack of this Amount within a few Days. I ſhall immediately adviſe your Honourable Board of the Receipt of it; and ſhall remit it upon the moſt advantageous Terms I can obtain. I ſhall likewiſe urge the Rajah, in the ſtrongeſt Manner poſſible, to uſe the utmoſt Expedition in the Diſcharge of the remaining Part.

" I have herewith the Honour to incloſe you 14 Bills of Exchange, for the Sum of Calcutta Sicca Rupees, 1,61,819 : 4 : 13 : 1, drawn in Favour of the Honourable Company, as per accompanying Invoice, being the Balance on Account of Rajah Cheite Sing's Kiſt, due the 4th Inſtant, after Deduction of the Nabob Saadut Ally Cawn's Monthly Allowance of Standard Gourſhay Rupees 25,000.

" I have the Honour to be, with the greateſt Reſpect, &c.

" Benares, (Signed) F. Fowke,
" 21ſt July 1780. Reſident at Benares."

Read, from Book 100, already delivered in, the following Extract of a Conſultation of the 3d of April 1776, beginning at Page 142 of the ſame Book.

" Fort William, the 3d April 1776.

Secret Dept. Wedneſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General,
Lieutenant General John Clavering,
The Honourable George Monſon,
Richard Barwell, } Eſquires.
Philip Francis, }

" *Honourable Sir and Sirs,*

Mr. Fowke. " I have received the Honour of your Letter of the 26th February. I have communicated to the Rajah the Orders which it contains. The Rajah has aſſured me that he will remit the Balance this Day due, within the Space of Eleven Days from the Date hereof, and on the 12th of April, will remit the Kiſt which is due on the 5th of that Month: He has faithfully promiſed to adhere to theſe Terms; and I believe I may venture to aſſure your Honourable Board that he will not fail in them. I have thought myſelf authoriſed in giving him reaſon to hope, that ſhould he perform this Promiſe, no Fine will be impoſed upon him for the long Delays he has made.

" I remain, &c.

" Benares, (Signed) Francis Fowke."
" 19th March 1776.

(Signed at the End of the Conſultation.)

" Warren Haſtings,
J. Clavering,
R^d Barwell,
P. Francis."

The Counſel for the Defendant informed the Houſe they would now proceed to the next Subject in Charge; namely, The ſuppoſed illegal Delegation of the Powers of the Council to the Defendant; and the Firſt Evidence they would adduce on this Head, ſhould be certain Precedents to ſhew the eſtabliſhed Uſage in that Reſpect, with the Knowledge and Approbation of it by the Court of Directors.

Read, from Book 515, already delivered in, the following Extract of a Conſultation of a Select Committee of the 24th September 1760.

" Fort William, the 24th September 1760.

" At a Select Committee; Preſent,
" The Honble. Vanſittart Eſquire, Preſident;
Colonel Gaillaud,
Wm Brightwell Sumner,
John Zephaniah Holwell, } Eſquires.
William Mc Guire,

" It appearing to the Committee highly proper, that a Member of this Board ſhould proceed to Moorſhedabad, to keep Coſſim Ally Cawn firm to the Agreements he has made, and to ſupport him ſo ſtrongly as to enable him to over-rule the Nabob and his preſent Adviſers; and the Preſident offering to undertake the Taſk,

" Agreed

" Agreed, He do ſet out as ſoon as poſſible, and that he be attended by Major Yorke, with Two Companies of Military, a Detachment of Artillery, with Four Pieces of Cannon, and Captain Tabbay's Battalions of Seapoys.

" Henry Van*Sittart. * Sic in Orig.
John Cailland,
Wm B. Sumner,
J. Z. Holwell,"

Read, from the ſame Book, the following Extract of a Conſultation of a Select Committee, of the 27th September 1760.

" Fort William, the 27th September 1760.

" At a Select Committee; Preſent,
The Honble. Henry Vanſittart Eſquire, Preſident;
Colonel John Caillaud.
Wm Brightwell Sumner,
John Zephaniah Holwell, } Eſquires.
William Mc Guire,

" Reſolved, We give the following Inſtructions to the Preſident and Colonel Caillaud.

' Honble. Sir and Sirs,

' As ſome Days have already elapſed ſince the Preſident, at the Deſire of Committee, wrote ' to Mr. Amyatt, of the intended Negotiation with the Shahzada; and as one of Roydulub's ' Letters to the Prince has been forwarded by his own People, we may expect that within Fifteen ' or Twenty Days from this Time, ſomething of it will tranſpire, and the Report ſpread to ' Moorſhedabad; it is not to be doubted, but that the Nabob will be extremely alarmed at the ' firſt News of it, and that thoſe who now rule him will uſe their Influence to encreaſe his Fears ' and Suſpicions, and to make him as averſe as poſſible to acquieſcing in the Meaſures we pro- ' poſe to adopt, and to which Coſſim Ally Cawn has acceded; it will be neceſſary therefore to have ' Perſons commiſſioned with full Powers from hence, and that they be ſuch as will have Weight ' enough, on the one Part, to keep Coſſim Ally Cawn firm to the Agreements he has made, and on ' the other, to ſupport him ſo ſtrongly as to enable him to over-rule the Nabob and all his preſent ' Adviſers. Inſtructions to the Preſident and Colonel.

' This entire Confidence we place in you, empowering you to act according to your own ' Diſcretion in all Circumſtances that may occur, and the better to enable you to accompliſh our ' Intentions, and to prevent any Diſturbance, we have thought proper to make a Detachment of ' Artillery, with Four Pieces of Cannon, and Captain Tabby's Battalion of Sepoys, who are to ' act under your Orders. This Detachment is repreſented to the Nabob as deſigned to reinforce ' the Army at Patna; but it is not our Intentions that they ſhall proceed further than Coſſim- ' buzar, unleſs the Approach of the Beerboun, or other diſaffected Rajahs or Zemindars, ſhall ' make it neceſſary to ſend them out to oppoſe them.

' If the Affairs of Patna ſhould not abſolutely require the Colonel's immediately proceeding ' there, we would have him remain at Moorſhedabad till this Affair ſhall be ſettled there, and the ' Government put under the Regulation propoſed; in which Caſe you will pleaſe to forward to ' Mr. Amyatt the general Inſtructions of the 24th and 25th, directed to him and the Colonel, ' with Orders to Captain Knox, to co-operate with the Chief of Patna, in the Execution of the ' ſaid Inſtructions. When the Colonel proceeds to Patna, Major Yorke will remain with the ' Command of the Detachment, and will follow the Orders of the Governor for his further Pro- ' cedings.

' You will continually be adviſed of the News we may receive, and of any Alteration that may ' happen here, in order that you may take the neceſſary Meaſures for ſending back the Detach- ' ment, in caſe any Danger from abroad ſhould threaten the Settlement.

' We have the Honour to be,
With great Eſteem,
Honble. Sir and Sirs,
Your moſt obedient humble Servants,

Signed at the End
' Henry Vanſittart,
John Caillaud,
Wm B. Sumner."

Read, from Book 505, the following Extract of a Conſultation of the 21ſt June 1765:

" Fort William, the 21ſt June 1765.

" At a Select Committee; Preſent,
The Right Honble. Lord Clive, Preſident;
William B. Sumner,
Harry Verelſt,
Francis Sykes,
} Eſquires.

The Preſident informs the Committee of his Intention to join the Army, and deſires the neceſſary Powers to conclude Peace.

" The Right Honble. the Preſident having acquainted the Committee, that he intends leaving Calcutta in a few Days, to take upon him the Command of the Army, and deſiring he may be intruſted with Power, in Conjunction with General Carnac, for concluding Peace with Shujah Dowla, and regulating the Company's Intereſts with the Country Powers;

Powers granted.

" Ordered, That the neceſſary Powers, and the Committees Sentiments reſpecting the Terms of Pacification, be drawn out and conveyed to his Lordſhip in the Form of a Letter.

" A Draft of the above Letter being prepared, read, and approved,

The above entered.

" Ordered, That a fair Copy be ſent to his Lordſhip, and the Letter entered after theſe Proceedings (*a*).

(Signed at the End of the Conſultation)
" Clive,
Wm B. Sumner,
H. Verelſt,
Fra' Sykes."

Read, a further Extract from the ſame Conſultation as follows:

" To the Right Honble. Lord Clive, Preſident and Governor, &c.

" My Lord,

" We greatly approve your Reſolution to embrace the preſent favourable Opportunity for eſtabliſhing a general Peace, and effecting a cordial and laſting Friendſhip with the Country Powers. Theſe important Ends, ſo neceſſary to the Proſperity of the Company, will more effectually be anſwered by a perſonal Interview with Shuja Dowla and the other Chiefs, than from a Correſpondence carried on at this Diſtance, as many Circumſtances leading to a direct Knowledge of their real Sentiments will occur in the Courſe of your Conferences.—It is from a Conſideration of theſe Circumſtances, that we apprehend any particular Inſtructions to your Lordſhip will be unneceſſary; much muſt be left to thoſe who act upon the Spot, and we are happy in the Aſſurance, that your Lordſhip's perfect Acquaintance with, and Zeal for, the Company's Intereſt, will enable you to fulfil your moſt ſanguine Wiſhes.

" The Preliminary Articles, tranſmitted the 11th Inſtant to General Carnac, contain our general Senſe of the Terms which we ought to demand; and to reſtrain your Lordſhip to expreſs Inſtructions, would only ſerve to retard and embarraſs your Negociations.—We therefore empower your Lordſhip, in Conjunction with Brigadier General Carnac, to ſtipulate ſuch Conditions with Shuja Dowla, to form ſuch Connections with the Country Powers, and to purſue ſuch Means as you ſhall judge neceſſary to the Company's Intereſt, the public Welfare, and the obtaining a ſafe, honourable, advantageous, and laſting Peace (*b*)."

Read, from Book 175, the following Extract of a Letter from the Honble. the Court of Directors to Lord Clive, dated the 2d May, 1766, beginning at Page 733 of the ſame Book:

" To the Right Honble. Robert Lord Clive, Baron of Plaſſey, Knight of the Moſt Honble. Order of the Bath, Preſident and Governor of Fort William in Bengal.

" My Lord,

" Par. 1. The Admiral Stevens in a leaky Condition, at Liſbon, on the 31ſt March, from whence Capt. Griffin ſent all the Packets committed to his Care in One of the King's Packet Boats, which we received on the 19th of laſt Month.

" 2. It gives us the utmoſt Pleaſure to obſerve by thoſe Diſpatches, with what Zeal and Indefatigableneſs (and which we have the higheſt Senſe of) your Lordſhip has purſued the true Intereſt of the Company in many Affairs of great Conſequence, more particularly in ſettling the Peace of the Country upon ſo advantageous a Footing, as well to the Company as all others con-

(*a*) Vide Appendix, N° CCXXXIV. (*b*) Vide Appendix, ibid.

cerned;

cerned; and in detecting and laying open to our View, the general Corruption, Rapacity, and Oppreſſion of our Servants.

" 3. The Stability of your Lordſhip's Plan with reſpect to our Poſſeſſions and Revenues, the Peace of the Country, and effecting a thorough Reformation in the exceſſive Abuſes and Negligence of our Servants, require Time and Ability to accompliſh. We cannot, therefore, but be under great Concern at the Notice your Lordſhip has given us of your Intentions to leave Bengal the End of this Year; but as the Intereſt of the Company depends upon your Lordſhip's perfecting what you have laid ſo good a Foundation for, it is our Intereſt and unanimous Requeſt, that you will continue another Seaſon in Bengal, the doing which will further add to the Honour and Reputation your Lordſhip has already moſt deſervedly acquired, and will lay a laſting Obligation upon the Company.

(Signed at the End)

" J. Creſwicke,
J. Pardoe,
George Cuming,
Peter Du Cane junr,
E. H. Cruttenden,
John Roberts,
George Wombwell,
John Harriſon,
Edwd Wheler,
Josr Du Prè,
Luke Scrafton,
Geo. Dudley,
Thos Rous,
Rob. Jones,
John Stephenſon
J. Purling,
Fredk Pigou,
Henry Savage,
Thos Saunders,
Chriſtr Baron,
F. W. Barrington,
Charles Chambers."

Read, from Book 2, already delivered in, the following Extract of a Letter from the Court of Directors to Lord Clive, dated the 17th May 1766, beginning at Page 107 of the ſame Book.

" My Lord,

" 2. When we conſider the Penetration with which your Lordſhip at once diſcerned our true Intereſt in every Branch, the Rapidity with which you reſtored Peace, Order, and Tranquility, and the unbiaſſed Integrity that has governed all your Actions, we muſt congratulate your Lordſhip on being the happy Inſtrument of ſuch extenſive Bleſſings to thoſe Countries; and you have our ſincereſt Thanks for the great and important Advantages thereby obtained for the Company."

Read, a further Extract from the ſame Letter, beginning at Page 112 of the ſame Book.

" 10. We have not at preſent Time to enter into the thorough Examination of what your Lordſhip propoſes, reſpecting the eſtabliſhing of Rank and Precedence between our civil and military Servants. In our Letter of the 24th December, we determined that the Preſident and Council might delegate their Authority to any civil Servant they pleaſed; and every military Officer, be his Rank what it might, ſhould pay the ſame Obedience to the Orders of ſuch civil Servant as to thoſe of the Preſident and Council. It is not meant however that ſuch civil Servant is to controul the military Officer in the Execution of military Operations, which is his proper Department.

" 11. We have the moſt perfect Senſe of your Lordſhip's Diſintereſtedneſs in every Part of your Conduct, and we ſhall not fail to repreſent this to the Proprietors, and ſhall at the ſame Time inform them of the many great Advantages your Lordſhip has obtained for the Company; but we fear, my Lord, paſt Experience will teach them, as it does us, that the Permanency of thoſe Advantages will depend much on your Lordſhip's continuing in India till you have ſeen the Regulations firmly eſtabliſhed, for the conducting theſe important Affairs; another Year's Experience and peaceable Enjoyment of our Acquiſitions might fix them on a Baſis, that would give Hopes they may be as laſting as they are great; and there is no Doubt, my Lord, but the general Voice of the Proprietors, indeed we may ſay of every Man who wiſhes well to his Country, will be to* joint in our Requeſt that your Lordſhip will continue another Year in India. We are very ſorry of the Sacrifice we aſk your Lordſhip to make, in deſiring your Continuance another Year in Bengal, after the great Services you have rendered the Company, and the Difficulties you have paſſed through in accompliſhing them, under Circumſtances, in which your own Example has been the principal Means of reſtraining the general Rapaciouſneſs and Corruption which had brought our Affairs ſo near the Brink of Ruin. Theſe Services, my Lord, deſerve more than verbal Acknowledgements, and we have no Doubt that the Proprietors will concur with us in Opinion

* Sic in Orig.

Opinion, that ſome ſolid and permanent Retribution, adequate to your great Merits, ſhould crown your Lordſhip's Labours and Succeſs.

" We are, my Lord, your Lordſhips loving Friends,

Charles Chambers,	Geo. Dudley,
J. Pardoe,	Tho. Rous,
Jos du Pré,	John Stephenſon,
Thoˢ Saunders,	Cha. Cutts,
George Cuming,	Henʸ Savage,
John Harriſon,	Chriſtʳ Baron,
J. Purling,	Fredᵏ Pigou,
John Roberts,	F. W. Barrington,
Peter Du Cane jun.	Edwᵈ Wheler,
George Wombwell,	Luke Scrafton,
Rob. Jones,	E. H. Cruttenden."

Read, from the ſame Book, the following Extract of a Letter from the Court of Directors to Lord Clive, dated the 21ſt November 1766, beginning at Page 302 of the ſame.

" My Lord,

" 7. We obſerve with great Pleaſure your Lordſhip's Intention of making the Tour of the Provinces. We perſuade ourſelves it will very much tend to conciliate the Minds of the People to our Adminiſtration, and will furniſh your Lordſhip with that local Knowledge and Experience, which is ſo neceſſary to underſtand the ſeparate Intereſt of each Province, and to form a Judgement of the Adminiſtration at the Capital.

(Signed at the End of the Letter)

" J. Creſwicke,	Geo. Dudley,
E. H. Cruttenden,	Thoˢ Rous,
George Cuming,	Rob. Jones,
John Roberts,	Charles Cutts,
J. Pardoe,	Fredᵏ Pigou,
Peter Du Cane jun.	Henʸ Savage,
Luke Scrafton,	J. Purling,
Charles Chambers,	John Harriſon,
F. W. Barrington,	Chriſtʳ Baron,
Edwᵈ Wheler,	Thoˢ Saunders,
George Wombwell,	Jos. du Pre."

" To the Right Honble. Robert Lord Clive, Baron of Plaſſey, Knight of the Moſt Honble. Order of the Bath, Preſident and Governor of Fort William in Bengal."

Read, from the ſame Book, the following Extract of a Letter from the Court of Directors to the Preſident and Select Committee of Fort William, dated the 4th March 1767, beginning at Page 456 of the ſame.

" Our Preſident, and Select Committee at Fort William in Bengal.

Dº Letter, Par. 12 & 13.

" 12. We aſſure ourſelves of great Advantages from Lord Clive's viſiting the Provinces. We are perſuaded his Lordſhip will have eſtabliſhed ſo good an Opinion of our Government, as will give great Permanency to our Affairs, and efface thoſe bad Impreſſions the Conduct of our Servants for ſome Years paſt may have made on the Minds of the People.

(Signed at the End)

" We are, &c. your loving Friends,

Edwᵈ Wheler,	Geo. Dudley,
Jos. du Pré,	Thoˢ Rous,
Cha. Cutts,	John Harriſon,
Luke Scrafton,	Fredᵏ Pigou,
E. H. Cruttenden,	F. W. Barrington,
John Roberts,	Peter Du Cane junʳ,
J. Pardoe,	J. Creſwicke,
Henʸ Savage,	Charles Chambers,
J. Purling,	George Cuming."
Robʳ Jones,	
Geo. Wombwell,	

Read,

Read, from Book 3, already delivered in, the following Extract of a Conſultation of the 19th April 1773, beginning at Page 248 of the ſame Book.

" Fort William, 19th April 1773.

" At a Conſultation; Preſent, Sec. Dept. Monday.

The Honourable Warren Haſtings Eſquire, Preſident;

William Alderſey, P. M. Dacres, Richard Barwell, James Lawrell, Henry Goodwin, John Graham, Geo. Vanſittart, } Eſquires.

Mr. Lane at the Cutcherry.

Mr. Lambert indiſpoſed.

" The Preſident lays before the Board the following Extract from the Select Committee's Proceedings of the 15th inſtant.

" Extract of the Select Committee Proceedings the 15th April 1773.

" It having been reſolved to take preſent Poſſeſſion of the Province of Corah, on Behalf of the Company, the Committee are of Opinion that it will be eſſentially neceſſary, both for ſecuring the Company's Rights in that Province, and as a preparatory Step to any Exchange of that Diſtrict, or other Mode of Ceſſion which may be reſolved on immediately, to depute a Member of the Board to Corah, to receive Charge of it from the General, and to inveſtigate and form an Account of the Revenue; and that he be inveſted with full Powers to exerciſe ſuch an Authority and Controul over the Naib Muneer ul Dowlah, and the other Officers of that Government, as may be requiſite for theſe Ends. The Service in which the General is immediately engaged, as well as the Nature of this Truſt, which is totally foreign from the Duties of his Profeſſion, and requires the Superintendance of a Perſon experienced in the Buſineſs of the Revenue, preclude us from receiving the Aid of his Services on this Occaſion; beſides that, ſuch an expreſs Deputation will have the Effect of marking, in the moſt publick and authentic Manner, the Determination of this Government, to maintain its Right to the Property or Diſpoſal of the Province of Corah. And this Opinion we conceive to be of very great Importance towards procuring an Equivalent for the Ceſſion of it, whenever that ſhall be made a Subject of Negociation, the more ſo as the remote Situation of that Country too apparently ſhews that it cannot be our Intereſt, and therefore not our Intention to retain the Poſſeſſion it.

" The Vizier having in ſeveral of his Letters expreſſed an earneſt Deſire to have an Interview with the Preſident, and many Points of Conſequence requiring an Adjuſtment which cannot be effected without a perſonal Conference, the Committee are further of Opinion, that a Meeting between the Vizier and the Preſident would, at this Seaſon, be productive of great Benefit to the Company's Affairs.

" Reſolved, That we ſubmit theſe Subjects to the Conſideration of the Council at large.

" The Board approve of both Propoſitions offered by the Select Committee.

(Signed at the End of the Conſultation)

" Warren Haſtings,
W. Alderſey,
P. M. Dacres,
James Lawrell,
H. Goodwin,
J. Graham."

Read, the following Conſultation of the 18th June, 1773, beginning at Page 382 of the ſame Book:

" Fort William, the 18th June 1773.

" At a Conſultation; Preſent, Secret Dept. Friday.

The Honble. Warren Haſtings, Eſquire, Preſident;

William Alderſey, Philip M. Dacres, Thomas Lane, Rich[d] Barwell, Henry Goodwin, John Graham, William Lambert, George Vanſittart, } Eſquires.

" The Conſultation of Yeſterday read and approved.

" The Board having aſſembled this Day ſolely for the Purpoſe of deliberating on the Inſtructions to be given to the Preſident reſpecting his Interview with the Vizir, and the other Affairs in his

Inſtructions to the Preſident.

Journey to Benaras. They have accordingly agreed on a Set of Inſtructions, which they have ordered to be drawn out and ſigned; but as in an Affair ſo delicate as the Negociation with foreign Powers, was the leaſt Intimation to eſcape of the Intentions of the Company, it might ſerve to fruſtrate the Accompliſhment,

Not yet to be entered on record.

" Ordered, That the Inſtructions be not for the preſent entered on the Conſultations, but that the Secretary draw out the fair Copy with his own Hands, for ſigning and delivering to the Preſident; and that he alſo make out a Copy to be ſealed up, and left with the ſenior Member of Council preſiding in his Abſence, to be kept till his Return, or until the Board ſhall order otherways.

" Warren Haſtings,
Wm Alderſey,
P. M. Dacres,
H. Goodwin,
J. Graham,
George Vanſittart."

Read, the following Extract of a Conſultation, dated the 4th October 1773, beginning at Page 516 of the ſame Book:

" Fort William, the 4th October 1773.

Secret Dept. Monday.

" At a Conſultation; Preſent,

The Honble. Warren Haſtings, Eſquire, being returned, now reſumes his Seat at the Board as Preſident;

William Alderſey,
Philip M. Dacres,
Henry Goodwin,
John Graham,
} Eſquires,

and

George Vanſittart, Eſquire, who is alſo returned, with the Governor, and takes his Seat accordingly.

" Read, and approved, the Proceedings of the 27th ultimo.

" The Inſtructions given to the Governor before his Departure for Benaras, which the Board at that Time thought proper to ſeal up, and depoſit in the Cuſtody of Mr. Alderſey, are now opened and recorded as follows, with the Letters written in Conſequence.

" To the Honble. Warren Haſtings, Eſquire, Preſident and Governor of Fort William, &c. &c.

" Honble. Sir,

The Governor's Inſtructions given the 23d June.

" At our Conſultation of the 19th April, we expreſſed our Approbation of the Reſolution of the Select Committee for your obtaining a perſonal Interview with the Vizier; and as in Conſequence of the Vizir's repeated Deſire, you have now determined on proceeding for that Purpoſe to Benaras, we ſhall beg Leave to lay before you ſuch Points in the political Intereſts of the Company, as from the Orders of the Court of Directors, and the preſent State of Affairs in this Government, are the more immediate Objects of our Wiſhes. At the ſame Time, the Circumſtances of our Situation and Connections with the King and the Vizir, are liable to ſo many Variations, that we find it difficult to mark out any preciſe Line for your Conduct; nor indeed do we judge it neceſſary, as we repoſe an entire Confidence in your Experience and Abilities, to improve to the utmoſt for the Company's Benefit the different Events which may occur.

" It is evident, that the Treaties which at preſent ſubſiſt between the Company and the Vizir, are ſettled upon an unequal Footing; we are called on every Occaſion to his Aſſiſtance, without any immediate Advantage to our Employers, or even any regular and adequate Adjuſtment of the Stipulation in the Treaty for the Payment of our Expences; while, on his Part, the Aid which he is bound to afford us is left looſe and undefined, and in all Probability, from the Nature and Conſtitution of his Army, in caſe of real Dangers, would prove uſeleſs and ineffectual. It is therefore adviſeable to effect an Alliance with him on Grounds of reciprocal Advantage and Support.

" Of ſuch an Alliance, one of the moſt eſſential Articles will be to ſecure the regular Payment of ſufficient Subſidies, for the Charge of ſuch Bodies of our Troops as may march at the Requiſition of the Vizir; and although in our former Treaty, the Stipulation is made only for our extraordinary Expences, yet, when we conſider that whilſt removed at ſuch a Diſtance from our Territories, they are in Effect loſt to our own Service, we think it reaſonable that the whole Expence ſhould be borne by him, but this can only be effected by your Addreſs and judicious Management, as the Engagements now ſubſiſting between us, from which we do not mean to depart, do not entitle us to claim it as a Right.

" While the King continues at Delhi, whither he proceeded in Oppoſition to our moſt ſtrenuous Remonſtrances, we ſhall certainly conſider the Engagements between him and the Company as diſſolved, by his Alienation from them and their Intereſts. The Province of Kerah, in this Caſe, will revert to them as to the original Proprietors, by his Inability to hold it on the Terms and for the

the Purpoſes for which it was ceded to him. As the Poſſeſſion of ſo remote a Country can never be expected to yield any Profit to the Company, and the Defence of it muſt require a perpetual Aid of their Forces, and prove a Source of much Jealouſy to the neighbouring Powers, it muſt be our earneſt Wiſh to be freed from ſo inconvenient a Poſſeſſion, on the beſt Terms which can be obtained for the Diſpoſal of it. If the King's Pretenſions are removed, the Claim of the Vizir to this Diſtrict will come next in Preference, both on Account of our Alliance with him, its Contiguity and Relation to his Dominions: And this Preference being conſonant to the Company's Orders, in that Caſe it would undoubtedly be our firſt Wiſh to obtain from him the Diſtricts of Cherrar and Gauzipore in Exchange for it. The Honble. Company have earneſtly enjoined us to endeavour to effect this for the ſole Purpoſe of placing the King in the Poſſeſſion of a Territory ſituated ſo near to our Borders, and would no doubt be well pleaſed with the Acquiſition of it to their own Poſſeſſions; yet we are aware of the Repugnance of the Vizir to part with ſo valuable and important a Territory, and as we cannot either in Juſtice or in Obedience to the Commands of our Superiors, which recommended the ſtricteſt Delicacy in our Negociations with their Ally, uſe any peremptory Requiſition with him to engage his Acquieſcence in ſuch an Accommodation; we content ourſelves with intimating the utmoſt Extent of our Deſires on this Head, leaving the Accompliſhment of them to your Management and Diſcretion, in ſuch a Mode, and to ſuch a Degree, as you ſhall find yourſelf enabled to effect it.

" If however, as is moſt probable, the King ſhould make Overtures to renew his former Connections, we are of opinion, that his Right to reclaim the Diſtricts of Cora and Illahabad cannot with Propriety be diſputed; and we authorize you to reſtore them to him, on the Condition of his granting to the Company a ſolemn Renunciation of the Tribute, which has been allowed him from the Provinces of Bengal and Bahar, both of the Arrears which may be due, and of all future Payments for ever: While we require this as a juſt Retribution for the Service afforded him, in maintaining the Poſſeſſion of theſe Diſtricts againſt the Marattas, to whom his Weakneſs had abandoned them, we are juſtified by the ſtronger Plea of abſolute Neceſſity, in inſiſting upon it, as our Revenues are utterly unable to ſupport any longer ſo ruinous an Expence. It is probable that the ſevere Proof which he has recently experienced, of his utter Inability to ſupport his Pretenſions to the Power and Dominions of his Anceſtors, and the diſgraceful Treatment which he has received from his falſe Protectors, will exempt him from the Hazard of the like Deluſion hereafter, and induce him to remain contented with his former Reſidence, in a State more ſuited to the moderate Compaſs of his Genius, and the reduced Influence of his Family. In that Caſe, it will be his beſt Policy to connect himſelf again with the Vizir, and to entruſt him with the Adminiſtration of his Affairs, as we do not ſee how it is poſſible for him to ſubſiſt by his own Strength; and the State of our Finances rendering it inconvenient to us to burthen ourſelves with ſo unprofitable a Charge. The Pride of the Vizier may be gratified with ſuch a Connexion, and his Authority may derive ſome Degree of Support from the Veneration which is yet paid to the Royal Name. This Point, therefore, we heartily recommend to your Attention; the Power of the King and the Vizir being thus united, and the Object for which the Preſence of the King, near the Borders of Bahar, was deſired by the Company, being removed by the Renunciation of the Tribute, it will then become an immaterial Conſideration, in what Part of the Territories of the Vizir he ſhall hereafter reſide.

" We refer to you to adjuſt the Claim of the Vizir on the Company, for the Tuneaw * granted him by the King on the Treaſury of Moorſhedabad, and herewith furniſh you with the Extracts from our Conſultation of the 13th May, containing the only Information which we have hitherto received concerning that Tranſaction, and you will, no Doubt, be furniſhed with the reſt from the Select Committee.

* Sic in Orig.

" We empower you to renew, in Behalf of Rajah Cheyte Sing, the Stipulation which was formerly made with the Vizir, in Favour of his Father Rajah Bulwand Sing, in Conſideration of his Services to the Company in the Year 1764.

" In a Treaty of firm Alliance with the Vizir, a free Intercourſe of Commerce with his Dominions ought to form an Article; and as you are acquainted with the earneſt Wiſhes of the Company on this Head, you will, no Doubt, pay the greateſt Regard to them. The Regulation of this Commerce, with reſpect to the Mode of carrying it on, and the Duties to be paid, will be an Object of your Attention, and we rely on your Care and Judgement for adjuſting theſe to the Satisfaction of our Employers. A ſimilar Regulation to that which we have lately adopted with reſpect to Duties in our own Territories, would be the moſt deſirable, if the Vizir's Conſent can be obtained.

" Mr. Lawrell will have our Orders to meet you at Benaris, and furniſh you with ſuch Information as he may have collected, regarding the Diſtricts of Corah and Illiabad. He will alſo be directed to conform to any Meaſure or Stipulation, which you may engage in, for the Ceſſion of theſe Diſtricts.

" We have found it neceſſary this Seaſon, for the more effectual Protection of the Vizir's Dominions, to extend our Operations to the Country of the Rohillas, on the North of the Ganges. We approve of your concerting with the Vizir, any Plan which may be neceſſary for his further Security on that Side, conſiſtently with the Spirit of the Company's Orders.

" In

" In conſequence of the Meaſures which you may adopt, it will reſt with you to determine, whether or not any Troops ſhall be ſtationed in the Viziers's Dominions; if there ſhould, we recommend that the Second Brigade do relieve the Firſt, and take its Tour of that Duty.

" We already obſerved, That we mean rather to intimate our Wiſhes than lay down any abſolute Rules for your Conduct on this Occaſion. For your more particular Guidance, we furniſh you with Copies of the public Treaties, and the Company's Orders extracted from their ſeveral Letters ſince the Firſt Treaty that was entered into with the Vizier.

" Should you be able to afford any Leiſure to inſpect into the State of our Affairs in the Provinces of Behar, and to regulate the Expences of the Revenue and Factory at Patna and Dinapore Cantonments, we deſire your Aſſiſtance in theſe eſſential Points, and ſhall ſend the proper Inſtructions to the Chief and Council at Patna, to conform to any Regulations you may think it proper to give them.

" We are, with Regard, &c.

" Fort William,
the 22d June 1773.

(Signed) Warren Haſtings,
W. Alderſey,
P. M. Dacres,
Thomas Lane,
Rich[d] Barwell,
H. Goodwin,
J. Graham,
W. Lambert."

(Signed at the End of the Conſultation)

" Warren Haſtings,
W. Alderſey,
P. M. Dacres,
H. Goodwin,
J. Graham,
George Vanſittart."

Read, from Book 113, already delivered in, the following Extract of a ſecret Letter from the Governor General and Council at Fort William, to the Court of Directors, dated the 7th of February 1784.

" To the Honble. the Court of Directors, for Affairs of the Honble. United Company of Merchants of England, trading to the Eaſt Indies.

" Par. 21. Your Honble. Court has already been made acquainted with the Reſolution, which we thought it neceſſary to paſs on the 31ſt of December, for withdrawing the Reſidency from Lucknow, and accepting the Offer made by his Excellency the Vizier, and his Miniſter, of the Security of Bankers of known Credit and Reſponſibility, for the Payment of the Balance due from his Excellency to the Company, and other current Expences, the Governor General being ſpecially reſponſible for the Propriety of the Meaſure. Mr. Wombwell, our Accountant at Lucknow, having been directed to receive ſuch Security from the Vizier, has lately tranſmitted to us a Copy of the Engagement entered into by Two Bankers, named Lala Butchrange and Faqvir Chund, in which they make themſelves anſwerable for the Sum of Lucknow Sicca Rupees 1,03,84,420, being the Balance due from his Excellency to the Company, at the End of the laſt Fuſſilee Year, as well as for the Subſidy and other current Demands of the preſent Year, according to a Statement adjuſted by Mr. Briſtow. Part is to be paid in the Courſe of the preſent Year 1191, and the Remainder the Courſe of the next Year 1192 Fuſſullee. A Copy of the Engagement attends you, a Number in the Packet.

22. " The Governor General having laid before us, Copies of a Correſpondence which paſſed between Mr. Wombwell and Mr. Briſtow, by which it appears that Mr. Briſtow has heſitated to obey the Order which directed his Return to the Preſidency, in Conſequence of ſome Doubts expreſſed to be primarily founded on the Terms of that Order, which he expreſſed to be " looſe and indefinite" we have ſent our peremptory Commands to Mr. Briſtow to leave Lucknow, and repair to the Preſidency immediately, directing in like Manner the Aſſiſtants of his Office to do the ſame.

" 23. We have the Honour to tranſmit to you a Number in this Diſpatch, Copy of a Minute delivered by the Governor General on the 20th of laſt Month, in which the Governor informs us of a Letter he had received from his Secretary Major Palmer, at Lucknow, containing a very alarming Repreſentation of the diſordered State of the Vizier's Dominions, and urging the Neceſſity of his repairing to Lucknow for the Purpoſe of giving his perſonal and early Aſſiſtance to the Nabob Vizier for their Retrieval; and that from other Letters received from Lucknow, upon the ſame Subject, the Governor General underſtands, that this was the expreſſed Wiſh of the Nabob

bob Vizier, his Miniſter, and all the principal Perſons of his Family and Court; having alſo great Reaſon to believe, that as ſoon as the Nabob ſhould have received the Notification lately tranſmitted to him of the laſt Reſolutions of the Board, he would declare the ſame Wiſh in Terms, and connect it with his Acceptance of the Engagement preſcribed to him: The Governor General has therefore made us an early tender of his Services to proceed to Lucknow, whenever he ſhall receive an Invitation from the Nabob Vizier to that Effect, for the Purpoſe of regulating the Company's Intereſts in that Province, and affording the Nabob Vizier the like Aſſiſtance for the Regulation of his.

" 24. For the other important Reaſons which have induced the Governor General to make this Offer, we beg Leave to refer you to his Minute, which we deem well deſerving your Attention. The Minutes of the other Members of the Board now at the Preſidency, on this Subject, are alſo enclоſed, Numbers in this Addreſs; and by theſe you will obſerve, that the Governor General's Tender of his Services to repair to Lucknow, has been accepted on the following Conditions; viz. That the Nabob Vizier ſhall, in his Letters to this Government, preſs the Aſſiſtance of the Governor General's Abilities in forming new Arrangements for the internal Management of his Country, and the Aid of his perſonal and official Influence to carry them into Execution, and ſtate it as a Meaſure abſolutely neceſſary to be adopted for the Regulation of his Finances, and the ſpeedy Liquidation of his Debt to the Company, connecting it alſo with the Acceptance of the Engagement preſcribed to him; and that the Governor General ſhall be of Opinion, that his Services can be more effectual, and generally beneficial to the Intereſts of the Company, by their being employed in that Country, than in the arduous and important Duties annexed to his Station at the Preſidency.

(Signed at the End)

" Fort William,
Feby 7th 1784.

" Warren Haſtings,
Edwd Wheler,
John Stables."

Read, from Book 211, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated the 11th of April 1785, beginning at Page 41, of the ſame Book.

" Our Governor General and Council at Fort William in Bengal.

" Par. 63. The Reſolution you paſſed on the 31ſt December 1783, to withdraw the Reſidency from Lucknow, and to accept the Offer made by the Vizier and his Miniſter, to give the Security of Bankers of known Credit and Reſponſibility for the Payment of the Balance due to the Company, and the Current Kiſts, has our Approbation; but by this Approbation it is by no Means our Intention, either on the one Hand to condemn the Conduct of our Reſidents, or on the other to preclude ourſelves from examining into the Complaints exhibited againſt them by the Vizier and his Miniſter; we approve likewiſe of the Continuance of an Accountant or Receiver at Lucknow, ſo long as any of the Company's Troops ſhall be ſtationed in the Vizier's Dominions; whoſe Buſineſs muſt be confined to the ſole Purpoſe of adjuſting and keeping the Accounts between the Nabob and the Company; receiving the ſtipulated Subſidy for thoſe Troops, and for appropriating the ſame in ſuch Manner as you ſhall think proper to direct.

(Signed at the End)

" London,
the 11th April 1785.

" Nathl Smith,
W. Devaynes,
L. Sulivan,
John Motteux,
W. Benſley,
Thos Parry,
F. Baring,
John Manſhip,
Jno Woodhouſe
Jnº Michie,
George Tatem,
J. Smith,
Joſeph Sparkes,
Jas Moffatt,
Paul Le Meſurier,
Hugh Inglis,
E. Boehm,
Rd Hall,
Stephen Luſhington,
John Hunter,
W. Mills,

Read, from Book 528, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, dated 21ſt of September 1785.

" Our Governor General and Council at Fort William in Bengal.

" Par. 19. And while upon this Subject, we think it proper to expreſs our Approbation of the Principles contained in Mr. Macpherſon's Letter to the Vizier, bearing Date the 18th Fe-

 bruary

bruary laſt; and we expect that the Agreements made between the Vizier and Mr. Haſtings will be invariably adhered to. (*a*)

" London,
the 21ſt September 1785.

(Signed at the End)

" W. Devaynes,
Nath[l] Smith,
L. Sulivan,
J. Manſhip,
Jn[o] Townſon,
John Roberts,
Tho[s] Cheap,
Tho[s] Parry,
Tho[s] Fitzhugh,
Cha[s] Mills,
George Cuming,
Paul Le Meſurier,
Hugh Inglis,
F. Baring,
Ja[s] Moffatt."

Read, from Book 521, already delivered in, the following Extract of a Letter from the Governor General to the Court of Directors, dated the 4th of March 1787.

" The Honble. Court of Directors for Affairs of the Honble. United Company of Merchants of England, trading to the Eaſt Indies.

" Par. 9. I think I may acquire uſeful Information to myſelf, by taking as early an Opportunity as may be convenient, to viſit ſome of the principal Places of theſe Provinces; and it may alſo be of public Utility, that I ſhould inſpect the Whole of the Army upon this Eſtabliſhment; it is therefore at preſent my Intention to avail myſelf of the Southerly Winds that prevail during the Rains, and to proceed by the River, without making many Halts, to the furtheſt Station of the Army at Futty-Ghur; and to employ a few Months, if I can ſpare ſo much Time, in Civil and Military, Inveſtigations, upon my Return.

" I have the Honour to be, with great Reſpect,
Honble. Sirs,
Your moſt obedient,
and moſt humble Servant,
" Cornwallis."

" Fort William,
March 4th, 1787.

Read, from Book 522, the following Extract of a Conſultation of the 20th April 1787, beginning at Page 33, of the ſame Conſultation.

" Fort William, 20th April 1787.

Secret and Political Dep. Friday.

" At a Council; Preſent,
Earl Cornwallis, K. G. Governor General, Preſident;
The Honble. Charles Stuart,
Sir John Macpherſon, Bart. abſent from the Preſidency,
John Shore Eſquire, indiſpoſed.

* Sic in Orig.

" The only material Difference which has taken Place in the Engagements between this Government and the Nabob * Vezier, relates to the Brigade ſtationed at Futty Ghur. The Continuance of which Body of Troops in the Dominions of the Vizier, I deem equally eſſential to the Intereſt of the Vizier and of the Company. In other Reſpects, I have nearly adhered to the Principles eſtabliſhed by the former Governor General, Mr. Haſtings, and ſince, confirmed by the Orders of the Honourable the Court of Directors.—All the ſubſidiary Arrangements have been formed with a View to ſtrengthen thoſe Principles, and render them permanent. (*b*)

(Signed at the End of the Conſultation)

" Cornwallis,
Cha. Stuart."

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 45, of the ſame Book.

" The Board are well informed, that the Adminiſtration of Affairs in the Owde Government depends entirely upon the Miniſter; that the Vizier himſelf has no farther Concern in it, than to give the Sanction of his Name and Authority to the Acts of his Servants; and ſuch is his Diſinclination to every Thing that has the Appearance of Buſineſs, that even this Formality is not complied with on his Part * Reluctance. The Vizier himſelf being profuſe to an Extreme, and little ſolicitous concerning the Mode of obtaining Funds to ſupply his Habits of Diſſipation; The Company muſt rather look to the Miniſter than to him for the punctual Performance of his Engagements. Expoſed as he is to the Effects of Caprice and Intrigue, it is impoſſible to determine how long the Nabob Hyder Beg Cawn may continue to poſſeſs the Confidence of the Vizier. (*c*)

* Sic in Orig.

" Cornwallis,
Cha. Stuart."

(*a*) Vide Appendix, N°. CCXXXV. (*b*) Vide Appendix, N° CCXXXVI. (*c*) Vide Appendix, ibid.

Read,

Read, from Book 521, already delivered in, the following Extract of a Letter from the Governor General and Council to the Court of Directors, dated the 17th of May 1787.

" Par. 12. We beg Leave to acquaint you, that Lord Cornwallis propoſes to viſit the Military Stations of the Army, within and without the Provinces, in the Month of July. His Lordſhip's Abſence from the Preſidency will be as ſhort as the Objects of the Tour will allow; and during that Time the Civil Government will be conducted by the Members of the Council.

(Signed at the End)

" Fort William, Secret Department,
17 May 1787.

" Cornwallis,
Cha' Stuart,
J. Shore."

Read, from Book 522, the following Extract of a Conſultation of the 27th July 1787, beginning at Page 36 of the ſame Conſultation:

" Fort William, the 27th July, 1787.

" At a Council; Preſent,

The Right Honble. Charles Earl Cornwallis, K. G. Governor General, Preſident;
The Honble. Charles Stuart, and
John Shore, Eſquire.

Secret and Political Dept. Friday.

" The Governor General delivers in the following Minute:

" The Governor General—Since I had the Honour of being nominated to the Station which I now hold, I have ever conſidered it as a Duty incumbent upon me, to embrace the earlieſt Opportunity that my other Official Occupations would admit of, to view Part of the internal Diſtricts of the Country, and to inſpect the Army upon the Eſtabliſhment, at the moſt diſtant Stations. Gov. Gen. Minute.

" I truſt that in carrying my Intentions upon theſe Heads into Execution, I ſhall not only acquire much uſeful Information to myſelf, but at the ſame Time, that I ſhall be able to take many Meaſures that may tend to promote the public Benefit.

" The Tranquillity at preſent enjoyed by all the Company's Poſſeſſions in India, the Completion of our Revenue and Commercial Regulations, and the many Arrangements that have lately taken place in the other Departments of Government ſeems to point out this Period, as one of the moſt favourable that can be expected to offer, for my being abſent a few Months from the Preſidency, without material Inconvenience to the public Service; accordingly, having made every Preparation, I intend to proceed on my propoſed Tour on the 29th or 30th Inſtant.

" The Poſt Maſter General has already taken Meaſures for keeping up a regular and expeditious Correſpondence between me and the Board, during my Abſence from Calcutta: I ſhall conſtantly communicate to them every Remark and Incident which I think may be worthy of their Notice; and the warm and friendly Support that I have hitherto experienced from the Members of it, leaves me no Doubt of receiving the fulleſt Information from them of every Occurrence, in all Branches of the public Buſineſs.

" I am equally perſuaded that it may be proper, that I ſhould requeſt that final Deciſions upon important Points of Politics, Revenue, or Commerce be delayed, until we have had an Opportunity of a mutual Communication of Sentiments upon them.

" Should a Neceſſity ariſe, I ſhall always be ready, at the Call of the Members of the Board to repair with great Expedition to the Preſidency at the ſhorteſt Notice.

" There having been an Order of the Board in the Year 1784, inveſting the Senior Member of Council, with the Government of Fort William, during the Abſence of the Governor General; it becomes neceſſary for me to declare my Opinion, that, in ſuch a Caſe, the Conſtitution of this Government requires, that all neceſſary Orders to Fort William, and to all the Stations of the Army, muſt be iſſued by the Members preſent in Council, in the Name of the Board; it appears to me that no Individual can legally exerciſe the Powers of Governor of Fort William, but the Perſon who holds the Office of Governor General."

" The Board are happy in this Occaſion of expreſſing their Aſſurances to the Right Honble. the Governor General, that they ſhall make it a Rule to preſerve a conſtant Intercourſe with him on all material Points of public Buſineſs, and that their own Wiſhes will induce them to obtain a Communication of his Sentiments, on any important Matters of Politics, Commerce, or Finance, previous to their final Deciſion upon them.

" The Board entirely concur in the Opinion given by the Right Honble. the Governor General, in regard to the Government of Fort William during his Abſence.

" Cha' Stuart,
J. Shore."

Read, from Book 523, the following Extract of a Letter from the Governor General and Council, at Fort William, to the Court of Directors, dated the 16th Auguſt 1787.

" The

The Honble. the Court of Directors for Affairs of the Honble. United Company of Merchants trading to the East Indies.

" The Governor General, deeming the preſent a very favourable Period for carrying into Execution the Intention which he has long formed, of viſiting the internal Diſtricts of the Country, and inſpecting the Army upon this Eſtabliſhment, at the moſt diſtant Stations; his Lordſhip left Calcutta with this Intention on the 28th ultimo, and had advanced, by the lateſt Advices which we have received of him, as far as Patna.

(Signed at the End)

" We have the Honour to be,
Honble. Sirs,
Your moſt faithful, humble Servants,
" Chaˢ Stuart,
J. Shore."

" Fort William,
Secret Department,
the 16th Auguſt 1787.

Read, from the ſame Book, the following Extract of a Letter from Lord Cornwallis to the Court of Directors, dated the 18th Auguſt 1787.

The Honble. the Court of Directors for Affairs of the Honble. United Company of Merchants trading to the Eaſt Indies.

" 12. I have now paſſed Monghyr, on my Way to viſit the Upper Provinces and the different Stations of the Army; I have ſome Reaſons to apprehend that the Diſcipline of the Troops is in an imperfect State, and I am therefore convinced that your Intereſts require that I ſhould perſonally inſpect them. There are alſo, within the Bounds of my intended Tour, many important Objects in the Civil Departments to which I ſhall certainly pay a very minute and ſerious Attention.

" I have the Honour to be, with great Reſpect,
Honble. Sirs,
Your moſt obedient and moſt humble Servant,
" Cornwallis."

" On the Ganges,
Auguſt 18th 1787.

Read, from Book 558, the following Extract of a Letter from the Court of Directors to the Governor General and Council, dated the 28th of March 1788.

" Our Governor General and Council, at Fort William in Bengal.

" Par. 97. We are very much pleaſed with Lord Cornwallis's Intention of viſiting the Military Stations of the Army, within and without the Provinces, as it will enable his Lordſhip to propoſe ſuch Regulations as will no Doubt be of great Utility to the Service.

(Signed at the End)

" J. Smith,
W. Benſley,
Hugh Inglis,
T. Pattle junior,
Thoˢ Fitzhugh,
Steph. Luſhington,
John Travers,
Jn. Townſon.
John Motteux,
Nathˡ Smith,
John Manſhip,
Edmᵈ Boehm,
Thoˢ Fitzhugh,
Paul Le Meſurier,
Thoˢ Cheap,

" London,
the 28th March 1788.

Read, from Book 559, the following Extract of a Letter from the Court of Directors to the Governor General and Council, dated the 8th of April 1789.

" Our Governor General and Council, at Fort William in Bengal.

" Par. 3. 18 a 39. Having attentively peruſed all the Minutes, Proceedings, and Letters referred to in theſe Paragraphs, and in your ſubſequent Advices, on the Subject of the late Agreement concluded by Lord Cornwallis with the Vizier, we approve of the general Arrangement, and of the Principles on which it was founded. The Nature of our Connection with the Vizier is now accurately defined. The Defence of Oude is aſſigned to the Britiſh Troops under a fixed Subſidy, and the internal Government of the Country remains with the Nabob. We obſerve, however, by Lord Cornwallis's Minute of the 20th April 1787, that you do not conceive yourſelves precluded from making Repreſentations to him on the Subject of his Adminiſtration, whenever you ſhall think it neceſſary, or from propoſing ſuch general Arrangements as ſhall appear likely to contribute to the Proſperity of both Governments. By this Idea we conceive his Lordſhip was actuated, when, in his Inſtructions to the new Reſident, Mr. Ives, he directed him to keep a watchful Eye on the Conduct of the Vizier's Miniſter Hyder Beg Cawn, and to give Information to his Lordſhip of any Steps manifeſtly oppreſſive to the People, or injurious to the Vizier. We look on this Precaution to be the more neceſſary, as from the well known Character of Aſoph ul Dowlah, Hyder Beg can be conſidered in no other Light, than as being, at preſent, in the complete and abſolute Poſſeſſion of the Government of the Country. We are aware, that

under

under a former Syſtem, Hyder Beg was not only reproached with a general Neglect in the Adminiſtration of the Vizier's Affairs, but it was alſo ſuppoſed that the Country owed its ruined State entirely to his Mal-adminiſtration. But, under a Syſtem defective in almoſt every Part of it, and from the Abuſes which aroſe out of that Syſtem, the preſent unfortunate State of the Country may, in our Opinion, be fairly attributed to a Combination of Cauſes; among theſe is the Claim, which is now very wiſely relinquiſhed, of Right of Pre-emptions, and of Exemptions from Duties in the Province of Oude, made and exerciſed by Contractors employed in providing the Inveſtment, and which, in the Opinion of Lord Cornwallis, has eſſentially contributed to its Ruin. The immenſe Drain of Specie from that Country of late Years, amounting, from February 1774, to September 1783, to the enormous Sum of Two Crores and Thirty-nine Lacks of Rupees (excluſive of what may have been ſent down to Calcutta to anſwer the Bills drawn for the Payment of the Troops, and on private Account), ſtands foremoſt, in our own Opinion, among the Cauſes that have operated ſo much to its Prejudice. Lord Cornwallis, even previous to the late Negociation, could be no Stranger to the general Character of Hyder Beg, or to the very unfavourable Opinion that had been entertained of him; and when his Lordſhip confided in him, in preference to any other, for the Completion of his Arrangements in Oude, it muſt have been for the moſt ſubſtantial Reaſons. Indeed his Lordſhip has ſince aſſerted in direct Terms, that he is by no means blind to that Miniſter's Character, making, at the ſame Time, a Declaration of his abſolute Certainty of its being contrary to our own Intereſt to become inſtrumental in diſplacing him. We find alſo, that the Reſident, in his Letter of the 7th January 1788, has repreſented the little Advantage that would accrue from a Change of Miniſters; and that the Chances are greatly againſt pitching on one poſſeſſed of more public Spirit and Diſintereſtedneſs than Hyder Beg Cawn, or who has equal Ability, Application to Buſineſs, and Knowledge of the Country.—After a due Conſideration, therefore, of all theſe official Documents, we are inclined to hope, that the Confidence lately repoſed in this Miniſter will not have been miſplaced. He may be fairly ſaid to owe his Power to our Influence, and muſt therefore be naturally ſolicitous to preſerve our good Opinion. We obſerve, by Colonel Harpur's Letter to Lord Cornwallis, of the 11th October 1787, that Hyder Beg has expreſſed his Obligations, that all his Doubts and Suſpicions were removed, and that he ſaw no Impediment to the Completion of the public Engagements to the Company, or the Improvement of the Country and the Revenue. With reſpect to his Engagements with the Company, we are happy to learn, by your Diſpatch of the 6th March 1788, notwithſtanding the Apprehenſions to the contrary expreſſed in the Correſpondence of the Reſident, that he has diſcharged theſe with ſufficient Regularity; and we ſhall be impatient till we hear of the Progreſs that has been made towards the Proſperity of the Province. We are particularly anxious for the Concluſion of the Commercial Treaty with the Nabob of Oude, from the Hopes entertained by Lord Cornwallis that it will tend to recover that Country from its preſent miſerable and exhauſted Condition.

" 4. With regard to the Settlement that has been made of the Buſineſs of Furruckabad, the Allowance to the Prince Mirza Juan Buckt, the Reduction of the Forces under Almas Ally Cawn, the Salaries to the Reſident, &c. at Lucknow, and other inferior Arrangements, we need only obſerve, that they have met with our Approbation.

(Signed at the End)

" London,
the 8th April, 1789.

" Tho$ Parry,
A. Roberts,
J. Smith,
D. Scott,

Nath$ Smith,
W. Devaynes,
Step. Luſhington,
George Tatem,
T. Pattle,
Ja$ Moffatt,
W. Elphinſtone,
John Travers,
John Hunter,
W. Benſley,
Jn° Woodhouſe,
Tho$ Fitzhugh,
Lionel Darell."

Read, from Book 524, the following Extract of a Conſultation, of the 6th November 1790, beginning at Page 115 of the ſame Book.

" Fort William, 6th November 1790.

" At a Council; Preſent,

Political Dept. Saturday.

Earl Cornwallis, K. G. Governor General, Preſident;
Peter Speke,
and
William Cowper,
} Eſquires.
The Honourable Charles Stuart abſent on the River.

" The following Minute from Lord Cornwallis was delivered Yeſterday to the Secretary, and communicated to Mr. Speke; Mr. Stewart having left Calcutta for a few Days, it is to be ſent to him on his Return.

" I know

" Minute from the Governor General.

No. 1. Minute from the Governor General.

" I know that the other Members of the Board participate in my Anxiety concerning the preſent State of the War with Tippoo Sultaun, and are equally apprehenſive that the late Occurrences in the Country of Coimbatore, may be attended with ſeveral diſadvantageous Conſequences to the public Intereſt.

" The general Succeſs of the Operations of the Southern Army ſince the Commencement of Hoſtilities, and particularly the ſpeedy Reduction of the important Fortreſſes of the Dindigul and Palacatcherry, and the gallant Behaviour of the Detachment under the Command of Colonel Floyd, have undoubtedly occaſioned great Detriment to the Enemy, and in the Opinion of all, who are candid and know the Truth, have done ſingular Honour to the Britiſh Arms; it cannot however be denied that the Retreat of Colonel Floyd's Corps, and the Loſs of the Artillery, which he was obliged to abandon, have furniſhed the Enemy with plauſible Means of impoſing upon his own Subjects and upon our Allies, by laying Claim to a Victory; and the real Interruption that has been given to the Collection of Proviſions, and the Loſs of Magazines that has been ſuſtained by Tippoo's Irruption upon that Occaſion, will, I am much afraid, be attended with the bad Effects of preventing our Army from entering the Myſore Country before the Commencement of the Carnatic Rains, and conſequently of reducing it to a State of entire Inactivity till the Month of January next.

" I have the higheſt Opinion of General Meadows's Zeal for the public Good, as well as of his profeſſional Abilities; and I am perfectly convinced that no Exertion would be wanting, on his Part, in expediting every Arrangement which may be neceſſary, to continue without Interruption, or to reſume without Delay, the Execution of our offenſive Operations, which can alone produce an honourable Termination of the War; but if unfortunately our Armies in the Carnatic ſhould not be able to act before the beginning of January next, we ſhould not only be under great Difficulties to account for the Delay to the Satisfaction of our Allies, but we ſhould alſo have the moſt ſerious Grounds for Apprehenſion, that Tippoo would avail himſelf of that Opportunity to turn his whole Force againſt the Mahrattas and the Nizam, and endeavour either to weaken their Power, or intimidate them into a Negociation for a ſeparate Peace.

" Under theſe Circumſtances, it has appeared to me, that, excluſive of every Meaſure that may be adopted for promoting our own offenſive Operations againſt the Myſore Country in the Beginning of January, it may be of great Conſequence to the public Intereſt, that ſome immediate Steps ſhould be taken, which may tend to animate and encourage our Allies to perſevere, with Firmneſs, in the favourable Diſpoſition which they have lately ſhewn to perform their Engagements; and although I am not vain enough to ſuppoſe that the Military Operations would be conducted more ably, or with more Succeſs, by myſelf than by General Meadows, yet, from the Station which I hold in this Country, and from the friendly Intercourſe which I have hitherto had the good Fortune to maintain, both with the Nizam and the Peſhwa, I conceive it to be poſſible that my Preſence in the Scene of Action would be conſidered by our Allies as a Pledge of our Sincerity, and of our confident Hopes of Succeſs againſt the common Enemy, and by that Means operate as an Encouragement to them to continue their Exertions, and abide by their Stipulations.

" I am aware that ſome Inconvenience may ariſe by Abſence from the Seat of Government, and that the exiſting Laws do not deſcribe the Powers which ought in ſuch a Caſe to be delegated by the Supreme Board to the Governor General; but, notwithſtanding theſe Objections, I am ſo fully impreſſed with the Belief that the public Intereſt will be on this Occaſion beſt promoted by my undertaking the Direction of the War in Perſon, that I have reſolved, with the Approbation of the Board, to proceed to Madras in the Beginning of the next Month; and ſhould the Board concur in Opinion with me on the Propriety and Utility of this Meaſure, I need hardly ſuggeſt that it will become neceſſary to inveſt me with ſuch Powers as may be thought ſuitable to my Station of Governor General, and which may appear to be calculated to enable me to apply the whole Force of the Company with Energy for the Proſecution of the War, or to avail myſelf, with Promptitude and Effect, of any favourable Opportunity that may offer for negociating and obtaining an honourable and advantageous Peace.

" Enjoying as I do the high Satisfaction of living on Terms of Cordiality and Friendſhip, both public and private, with my Colleagues in Office, and well acquainted as I am with their earneſt Deſire to ſupport my Endeavours for promoting the public Proſperity, I could not entertain a Doubt, even if I had not formerly, on a ſimilar Occaſion, been flattered with the moſt liberal Declarations of their Confidence, that the Meaſures for the internal Government of Bengal, which I have hitherto purſued, and in the Succeſs of which my Share of Reſponſibility is ſo great, will, during my Abſence, be uniformly ſupported and punctually executed.

" The Completion of the Settlement of the Revenues upon the Principles which have been already adopted, an Adherence to all Regulations that have been eſtabliſhed, and a ſtrict Regard to Economy in all Branches of the public Expenditure, are amongſt the principal Objects which I truſt will command the Attention of the Members of the Board; and from my Knowledge of their Diſpoſition, I have the moſt implicit Reliance on their communicating with me upon all Points of internal Buſineſs, in the Manner that will beſt tend to promote the public Good, and to preſerve my Authority in this Government.

" The

" The Members of the Council may, on the other Hand, be aſſured, that I ſhall correſpond and communicate my Sentiments to them with as much Punctuality and Expedition as the Nature of the Service on which I am going will allow, and that I ſhall not only give an accurate Detail of any material Tranſactions or Occurrrences that may happen, but alſo endeavour to render a ſatisfactory Account of every Part of my Public Conduct. I ſhall likewiſe, on all Occaſions, receive their Advice and Suggeſtions with all the Attention and Deference which is due to private Friends, and to the acting Members of the Supreme Government.

" Mr. Cowper having read and conſidered Lord Cornwallis's Minute, the Secretary is directed to record in this Place a Minute, which will be ſent to him on Mr. Stewart's Return to Calcutta, upon the Subject of that from the Governor General.

" Minute from Meſſrs. Stuart, Speke, and Cowper.

" The Governor General has fully expreſſed, in his Minute of the 5th inſtant, the Sentiments we entertain on the preſent State of the War with Tippoo Sultaun. His Lordſhip's ſummary Detail of the late Occurrences in the Coimbatore Country, and his Reflections upon them, appear to us to eſtabliſh, upon clear and convincing Arguments, the urgent Expediency of his Reſolution to proceed to Madras, and take upon himſelf, in Perſon, the Direction of the War; nor have we any Doubt that the Public at large will, equally with us, feel it to be a Meaſure peculiarly called for at the preſent Criſis. No. 2.

" Among the Arguments, there is one adduced by the Governor General of particular Weight, and that we therefore think it neceſſary to diſtinguiſh from the reſt; it is, that his Preſence in the Scene of Action would be conſidered by our Allies as a Pledge of our Sincerity, and of our confident Hopes of Succeſs againſt the Common Enemy, and by that Means operate as an Encouragement to them to continue their Exertions, and abide by their Stipulations.

" The full Force of this Argument will be felt by thoſe who have had Opportunities of experiencing the Diſpoſitions, and becoming acquainted with the political Views and Conduct of the Native Powers, and who are therefore capable of appreciating the Effect of the Governor General's Preſence, uniting in his Perſon, on the Scene of Action, the whole Authority we poſſeſs in the Eaſt.

" With reſpect to the Inconveniences that the Governor General is aware may be occaſioned by his Abſence from the Seat of Government, we are inclined to hope that they will not be many, as it is our firm Determination that his Authority ſhall, in every poſſible Caſe, be as effectual during his Abſence as it would be while he was preſent; nor is this Determination created by the high Satisfaction we feel in the Knowledge of his favourable Sentiments of us as Members of Council, or by our Wiſh to indicate how much we are gratified as Individuals by the Cordiality of the Declaration with which he honours us. Excluſive of theſe perſonal Incitements, we are ſincerely and deliberately of Opinion, that the Intereſt of the Public requires the entire Preſervation of his Authority. In proportion as this can be made manifeſt the idea of a Change of Government will vaniſh, and we ſhall eaſily attain the very important Object of giving Confidence to the Natives of Bengal, as well as to our more immediate political Connection * in the Permanence of the Meaſures and Principles at preſent eſtabliſhed. We cannot, therefore too ſtrongly inculcate by overt Acts, that the Power of the Governor General will be in no Reſpect diminiſhed by his Departure. It ſhould be generally known, that in every practicable Caſe his Opinion will be previouſly aſked, and in particular in that of Appointments to Offices.

* The Vizier, M. Scindia.

" We obſerve with the Governor General, the Inexplicitneſs of the exiſting Laws, in deſcribing what Powers may be delegated to him by the Supreme Board during his Abſence from the Seat of Government; but we cannot feel any Apprehenſion on this Subject; the public Good, which requires the Meaſure, juſtifies the Means; and we therefore declare, that we ſhall with great Readineſs and Pleaſure unite in inveſting his Lordſhip with whatever Powers his Judgment ſhall ſuggeſt to him as requiſite on this Occaſion, ſuch as, to uſe his own Words, (both in this and his former Minute of the 5th February laſt) may be neceſſary to enable him to take a temporary Charge of the Civil and Military Affairs at the Preſidency of Fort St. George, and that may " be thought ' ſuitable to his Station of Governor General, or which may appear calculated to enable him to ' apply the whole Force of the Company with Energy for the Proſecution of the War, or to avail ' himſelf with Promptitude and Effect of any favourable Opportunity that may offer for negociating ' and obtaining an honourable and advantageous Peace.'

" The Governor General's Aſſurances of as frequent a Communication with us as Circumſtances may admit, are highly pleaſing. The public Intereſts and his perſonal Proſperity are ſo intimately united, that our Anxieties for them will be equal.

" Should any Thing occur to us likely to contribute in the ſmalleſt Degree to theſe great Objects, we ſhall unreſervedly communicate it.

(Signed)

" 6th November 1790. " Cha' Stuart,
Peter Speke,
W. Cowper."

" The Governor General delivers in the following Minute:

" Minute from the Governor General.

No. 3. Minute from the Governor General.

" Impreſſed as I am with the Neceſſity of uſing our utmoſt Efforts to bring the preſent War againſt Tippoo to a ſpeedy and happy Concluſion, I have moſt anxiouſly conſidered in what Manner this Government can make the moſt efficacious Exertions for that Purpoſe; and I now ſubmit my Ideas to the Members of the Board, truſting, from the Zeal and Spirit which they have uniformly manifeſted ſince the Commencement of Hoſtilities, that they will authorize me to undertake what I now propoſe, and hoping, from the Good Will and Activity which I am ſure to experience from the executive Officers, that I ſhall be able to carry the Propoſitions into complete Effect.

" I propoſe that the 1ſt Regiment of Native Cavalry ſhall be augmented to Six Troops of the preſent Strength; and that a proviſional Authority ſhall be given to Capt. Frith to increaſe the Complement of each of the Six Troops to 80 Privates, provided it will not delay, or otherwiſe interfere with the neceſſary Meaſures for bringing the Regiment in due Time to the Preſidency, which, for the Sake of Diſpatch, I ſhall order to be effected, if poſſible, by Water Conveyance.

* Sic in Orig.

" I propoſe that a Draft ſhall be made of about * 12 or 14,00 Sepoys from the 10 Battalions belonging to the Barrackpore, Berhampore, and Medinupore Stations, to be embarked in the favourable Seaſon, to proceed to ſuch Part of the Coaſt as may be moſt convenient for joining Colonel Cockerell's Detachment. I propoſe that a Preference ſhall be given to Volunteers for this Service; and I am inclined to hope, after the Succeſs we have already had in removing the Prejudices of the Hindoos to Embarkations by Sea, that a ſufficient Number will offer themſelves voluntarily.

" As it is an Object of the firſt Importance to provide for the Draft of our Artillery in the completeſt Manner, I propoſe to collect all the trained Draft Cattle from the different Stations within our Reach, either by Land or Water Conveyances, and to authorize the Purchaſe of any good, ſerviceable, and well trained Hackney Bullocks that may be procurable, either at the Preſidency or at Muxadavad; my Object will be to obtain at leaſt 1000 Head of the beſt and moſt efficient Cattle; but we can hardly hope to accompliſh it. I propoſe that any Deficiency ſhall be made up by young and new Cattle, to be purchaſed by Mr. Biddulph, who is now on the Spot at Purneah, and though I am aware they will not become immediately uſeful, I am ſtill in hopes that, by Exertions and Care in training them, they may be made ſerviceable in a ſhort Time. I propoſe to make Uſe of the Agency of Mr. Biddulph, the Contractor at Purneah, and that he ſhould employ his Agent, Mr. Ritſo at Berhampore. The Contractor's Agency will be made uſe of at the Preſidency, but as the Cattle procured by Mr. Biddulph, over and above what he obtains to compleat the Eſtabliſhment, will not fall within the Terms of his Contract, it will be proper that ſome Gratuity ſhould be given to the Contractor for his Agency in the Buſineſs, the Amount of which may be determined when his Accounts, atteſted upon Honor, are given in, as we cannot be too provident in keeping our Cavalry on the Coaſt compleat. I think that Colonel Martine, at Lucknow, and Lieutenant Turner, at the Preſidency, may be employed with great Utility in procuring ſerviceable Horſes, to replace thoſe which the Regiments on the Coaſt muſt have loſt by the late fatiguing Operations; and I hope, by their Means, with the Aſſiſtance of the Vizier and his Miniſters, to obtain to the Extent of 400 or 500. The Means of conveying the Men and Horſes of the 1ſt Regiment of Cavalry, the ſpare Horſes, and the Bullocks to the Coaſt, is the next Point to be explained; and this, upon Enquiry, I find is to be done, not only with Eaſe, but, I truſt alſo, at a very moderate Expence by the Means of Donies, of which there are upwards of 150 now in this River. Their Tonnage I find is at preſent unoccupied, but any Knowledge acquired of the Intentions of Government would induce them to raiſe their Expectations and Demands for Freight very high; and I accordingly propoſe, in order to obviate that Conſequence, that an active and zealous Agent may be employed to engage the Veſſels in the firſt Inſtance, and to prepare them afterwards for the Reception of their Freight; I have found Mr. Cochrane not only intelligent upon the Subject, and apparently very capable of executing the Truſt, but forward and willing alſo to render his Services, and as I really do not know a more eligible Perſon, I ſhall propoſe that he may be employed.

" Agreed to the ſeveral Propoſitions laid before the Board by the Governor General, and that his Lordſhip be authorized to give the neceſſary Orders for carrying them into Execution.

(Signed at the End of the Conſultation)

" Fort William,
6th November 1790.

" Cornwallis,
Cha[s] Stuart,
Peter Speke,
Wm Cowper."

Read.

Read, the following Extract of a Conſultation of the 24th November 1790, beginning at Page 443, of the ſame Book.

" Fort William, 24th November 1790.

" At a Council; Preſent,
Earl Cornwallis, K. G. Governor General, Preſident;
Peter Speke, and William Cooper, } Eſquires.

Political Dept. Wedneſday.

The Honble. Charles Stuart indiſpoſed.

" The Governor General, and the Members of the Council, having had before them, ſince the laſt Meeting of the Board, a Draft of the Powers propoſed to be delegated to the Governor General on his Lordſhip's Departure to the Coaſt, and the ſame having been approved and agreed to, ordered, that a Copy thereof be entered in this Place.

Powers delegated by the Board to the Governor General on his Lordſhip's proceding to the Coaſt. No. 11.

" Whereas it has been reſolved, that the Governor General ſhall proceed to Madras for the Purpoſe of directing in Perſon the Operations of the War againſt Tippoo Sultaun, and for the other Purpoſes expreſſed in his Minute of the 5th of November: And whereas for the ſaid Purpoſes, as well as for others which may occur, and which may require the immediate Preſence of the Governor General, it is eſſentially neceſſary that he ſhould be inveſted with ſuch full and entire Powers as are ſuitable to his Station, and may enable him to apply the whole Force of the Company with Energy for the Proſecution of the War, or to avail himſelf with Promptitude and Effect of any favourable Opportunity that may offer for negociating and obtaining an advantageous and honourable Peace, and alſo to provide for or act upon any Exigencies which may ariſe and require his Direction, Interference, or Controul, whether with reſpect to our Allies, or the other Native Powers of Hindoſtan, or to the ſeveral Preſidencies of Madras and Bombay, ſo that the Orders of the Governor General, iſſued by him during his Abſence from this Preſidency, may have the ſame Force and Effect, as if given by him in Council at Fort William: It is hereby reſolved, that the Governor General ſhall be, and he is hereby inveſted with, the full Power and Authority of this Government in all other Matters which reſpect the Conduct and Proſecution of the preſent War with Tippoo Sultaun, or the negociating or concluding Peace with him; and alſo with the full Power and Authority of this Government to form ſuch Arrangements, and to conclude ſuch ſeveral Engagements or Treaties with any of the Chiefs or Powers of Indoſtan as he ſhall judge expedient and neceſſary, whether for the Termination of the preſent War with Tippoo Sultaun, or for the Advancement of the Intereſts of the Honble. Company, or for the ſtrict and permanent Eſtabliſhment and Confirmation of the Alliances which do at preſent ſubſiſt, or which he ſhall judge it neceſſary to form with the ſaid Chiefs and Powers reſpectively: And it is hereby declared, that all ſuch Acts and Orders, and all ſuch Engagements and Treaties made as aforeſaid, ſhall be binding on the Governor General in Council in the ſame Manner and as effectually as if they had been paſſed and done by the ſpecial and immediate Concurrence and actual Sanction of the Governor General in Council aſſembled. Given in Fort William under the Seal of the Honble. Company, and under the Hands of the Governor General and Members of the Council, this Third Day of December, in the Year of our Lord 1790.

(Signed at the End of the Conſultation)

" Cha' Stuart,
Peter Speke,
Wm Cowper."

Read, from Book 525, the following Extract of a Conſultation of the 3d December 1790, beginning at Page 149 of the ſame Book.

" Fort William, 3d December, 1790.

" At a Council; Preſent,
Earl Cornwallis, K. G. Governor General, Preſident;
Peter Speke and William Cowper, } Eſquires.

Political Dept. Friday.

The Honble. Charles Stuart indiſpoſed.

" The Draft of the Powers agreed by the Board to be delegated to Lord Cornwallis, as recorded on the Proceedings of the 24th ultimo, having been copied fair, they are now executed by the Governor General and Members of the Government.

" Agreed that the following Letter be written to Fort St. George and Bombay.

" To the Honble. Major General Abercromby, Governor in Council at Bombay.

" Honble. Sir,

No. 1. B. To Fort St. George and Bombay.

" We have already had the Honour of informing you of Lord Cornwallis's Intention to proceed to the Coaſt of Coromandel, and we now tranſmit to you a Copy of a Paper which contains the Powers given to his Lordſhip by this Government.

" Fort William,
3d Dec. 1790.

We have the Honour to be,
&c. &c. &c."

The ſame,

" To the Hon. the Governor General in Council at Fort St. George.

No. 2. A. To the Foreign Settlements.

" Lord Cornwallis's Intention to proceed to the Coaſt is notified to the Foreign Settlements in the following Letters:

" To the Honble. Iſaac Titſingh, Eſquire, Director, &c. and Council at Chenſurah.

" Honble. Sir,

Foreign Department.

" It being my Intention to proceed immediately to the Coaſt for the Purpoſe of taking on myſelf the Conduct of the War in which we are engaged with Tippoo; I beg Leave to communicate this Circumſtance to you.

" At the ſame Time I do myſelf the Pleaſure of acquainting you, that I am well aſſured that, during my Abſence, you will find no Alteration in the Diſpoſitions of this Government to continue the Harmony and good Underſtanding which has ſo long ſubſiſted between us.

" Fort William,
3d Dec. 1790.

I have the Honour, &c."

The ſame to the Honble. Colonel Bie, Governor, &c^a. and Council at Frederickſnagore.

No. 2. B.

" To Mr. Mottet, Agent on the Part of the French Nation in Bengal.

" Sir,

" It being my Intention to proceed immediately to the Coaſt for the Purpoſe of taking in Perſon the Conduct of the War in which we are engaged with Tippoo; I beg Leave to communicate the ſame to you, and to acquaint you that I am well aſſured that, during my Abſence, you will find no Alteration in the Diſpoſitions of this Government to ſhew every Attention to the Intereſt of the French Nation in Bengal.

" Fort William,
3d Dec. 1790.

I have the Honour,
&c. &c. &c."

" The Governor General delivers in the following Minute.

No. 3. Minute from the Governor General.

" Minute recorded by the Governor General on the 3d of December 1790.

" All material preparatory Arrangements being now nearly compleated, it is my Intention to proceed on the 5th Inſtant in the Yatch, to embark at Diamond Harbour on board the Veſtal Frigate for Madraſs.

" I truſt that an Honourable Termination of the War in which we are now engaged, will, before a long Period elapſes, admit of my returning to the Duties of my Station in Bengal; but I cannot forbear to avail myſelf of this Opportunity of expreſſing the Satisfaction that I feel, of knowing that the Management of the public Affairs will, during my Abſence, devolve upon Colleagues in Government, for whoſe Principles and public Spirit I have the higheſt Reſpect, and of repeating my ſtrongeſt Senſe of the manly and liberal Sentiments, by ſuch * they have been uniformly actuated ſince the Infraction of the Treaty by Tippoo Sultaun, in adopting and ſupporting every Meaſure that has appeared to be calculated to vindicate and maintain the Honour and Intereſts of the Company, and of the Britiſh nation.

* Sic in Orig.

After the Apprehenſions which I entertained for Mr. Stuart's Life during the late Criſis of his dangerous Illneſs, I feel ſome Conſolation for his Abſence this Day, from the reaſonable Proſpect, which his preſent Situation affords, that his Health will ſoon be completely re-eſtabliſhed; but I cannot avoid regretting, that he is ſtill unable to receive my Aſſurances in Perſon, that from my Knowledge of the Integrity of his Principles, joined to the Advantage of the † of the Experience which he has acquired in conducting the Buſineſs of this Country, I conſider his Recovery at this Juncture, as it will fall to his Lot to take the principle Lead in it, to have been an Object of no leſs Importance to the public Intereſts, than it has been a Source of Joy to his private Friends; and I have a particular Satisfaction in feeling confident that no Exertions will be wanting on his Part of Support ‡, and execute the general Principles and Regulations which have been eſtabliſhed for carrying on the Buſineſs in the different Departments of Government, and for promoting in every other Reſpect the public Proſperity.

† Sic in Orig.

‡ Sic in Orig.

" The

" The flattering Marks of perſonal Confidence and Friendſhip, which I have conſtantly experienced both in my public and private Capacity, from the Members of the Board, have made the moſt laſting Impreſſion on my Mind, and claim my warmeſt Acknowledgments. I ſhall always think it fortunate when Opportunities may offer to enable me to give convincing Proofs of my Regard and Eſteem for them; and they may be aſſured that they ſhall have no Reaſon to alter the favourable Opinion which they have hitherto expreſſed of me, by any Part of my future Conduct.

(Signed at the End of the Conſultation)

" Cha^r Stuart,
Peter Speke,
Wm Cowper."

Read, from Book 587, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, dated the 6th May 1791.

" Our Governor General and Council at Fort William, in Bengal.

" Par. 26. We have already adviſed you of the Receipt of the ſeveral Letters from our Governor General Earl Cornwallis, in the Courſe of the paſt Seaſon. Although we have not deemed it neceſſary to enter into a regular Reply to theſe Letters, the Subjects upon which they treat being connected with thoſe contained in the General Advices, yet we cannot cloſe our final Diſpatches without expreſſing the high Senſe we entertain of his Lordſhip's Zeal for the Service, in having waved all perſonal Conſiderations, by determining, after the Commencement of Hoſtilities, to remain in his Station ſo long as he might think that his Preſence in India would eſſentially contribute to the Security of the Company's Poſſeſſions, or materially promote the general Proſperity of their Affairs. Bengal Pub. Dept. Lord Cornwallis, 7th April 1791. Correſpondence, 8th April 1791. Court ditto. Board, 22d April.

" 27. We have received your ſeveral Advices by the Princeſs Amelia, and likewiſe a Letter from Lord Cornwallis of the 17th November laſt. As the Remainder of our freighted Ships of the preſent Seaſon are upon the Eve of their Departure, and as we have already written very fully upon every material Point, it is not our Intention to enter at preſent into a particular Reply to thoſe Advices. We are extremely concerned at the Delay that is likely to be occaſioned in the Movements of the Troops under the Command of General Meadows, by the late Irruption of Tippoo Sultaun into the Coimbatore Country. We truſt, that ſuch a Plan of Operations will be arranged between the Commanders of the ſeveral Diviſions and with * our Allies, as that the War will be brought to a ſpeedy, ſucceſsful, and honourable Concluſion. Bengal Pub. Department. Correſpondence, 27th April 1791. Court ditto. Board 2d May.

* Sic in Orig.

" London, the 6th May 1791.

" We are your affectionate Friends,

" W. Elphinſton,
Wm Money,
Abram Roberts,
Thos Cheap,
John Travers,
Thos T. Metcalfe,
Jno. Townſon,
Simon Frazer,
R. Thornton,
T. Smith Burges,
F. Baring,
T. Manſhip,
John Roberts,
George Tatem,
Lionel Darell,
Thos Parry,
Step^n Williams,
Paul Le Meſurier."

Read, from the ſame Book, the following Extract of a Letter from the Court of Directors to the Governor General and Council; dated the 4th Auguſt 1791.

" Our Governor General and Council at Fort William, in Bengal.

" 33. Herewith you will receive an Act, paſſed in the laſt Seſſion of Parliament, entitled, An Act for eſtabliſhing and confirming a certain Reſolution or Order of the Governor General in Council of Fort William in Bengal, and all Acts done by virtue thereof; and for granting further Powers to the ſaid Governor General during his Reſidence on the Coaſts of Coromandel and Malabar.' Bengal Pub. Dept. Circular.

(Signed at the End of the Letter)

" T. Smith Burges,
F. Baring,
Jno Roberts,
Jno Hunter,
Geo. Tatem,
Thos Parry,
W. Elphinſton,
Hugh Inglis,
Paul Le Meſurier,
John Townſon,
Thos Cheap,
W. Benſley,
Simon Frazer,
Wm Money,
Step. Williams,
J. Manſhip,
Lionel Darell,
John Travers,
Chas Mills,
Jacob Boſanquet,
Abr'am Roberts."

Approved in Court, 21ſt July 1791. Board 23d.

The

The Counſel for the Defendant deſired the Act of Parliament, mentioned in the preceding Extract, might be read.

The ſame was read, as follows:

" Anno Triceſimo primo Georgii III. Regis, Cap. XL.

" An Act for eſtabliſhing and confirming a certain Reſolution or Order of the Governor General in Council of Fort William in Bengal, and all Acts done by virtue thereof; and for granting further Powers to the ſaid Governor General, during his Reſidence on the Coaſt of Coromandel and Malabar.

" Whereas, ſome Time in the Month of November One thouſand Seven hundred and Ninety, the Right Honourable Charles Earl Cornwallis, Governor General of the Preſidency of Fort William in Bengal, and the Council of Fort William aforeſaid, did, by their Order or Act in Council, reſolve, that the ſaid Governor General ſhould be inveſted with the full Power and Authority of the ſaid Government of Fort William, in all Matters which reſpected the Conduct and Proſecution of the preſent War with Tippoo Sultaun, or the negociating and concluding Peace with him; and alſo with the full Power and Authority of the ſaid Government to form ſuch Arrangements, and to conclude ſuch ſeveral Engagements or Treaties with any of the Chiefs or Powers in India, as he ſhould judge expedient and neceſſary for the Termination of the preſent War with Tippoo Sultaun, or for the Advancement of the Intereſts of the United Company of Merchants of England trading to the Eaſt Indies, or for the ſtrict and permanent Eſtabliſhment and Confirmation of the Alliances which did then ſubſiſt, or which he ſhould judge it neceſſary to form, with the ſaid Chiefs and Powers reſpectively; thereby declaring, that all ſuch Acts and Orders, and all ſuch Engagements and Treaties made as aforeſaid, ſhould be binding on the ſaid Governor General and Council, in the ſame Manner, and as effectually, as if the ſame had been paſſed and done by the ſpecial and immediate Concurrence and actual Sanction of the Governor General in Council aſſembled: And whereas it is expedient that the ſaid Act or Order in Council, and all Acts done or to be done by the ſaid Governor General by virtue thereof, ſhould be eſtabliſhed and confirmed, and that the ſaid Governor General ſhould alſo be inveſted with ſuch further Powers as may enable him to act with Promptitude and Effect, as Opportunities or Exigencies may in his Judgment appear to require, during the Continuance of the preſent War, and during ſuch Time as the ſaid Charles Earl Cornwallis ſhall be reſident out of the Preſidency of Fort William in Bengal, for the Purpoſes of commanding the Forces engaged in the ſaid War, or of negociating any Treaty of Peace, or other Treaty, with any of the Princes or Powers in India; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act or Order in Council, and the ſaid Powers or Authorities thereby given or therein contained, ſhall be, and the ſame are hereby eſtabliſhed, ratified, and confirmed, and ſhall be held, deemed, and taken, from the Date or making thereof, to have been, and to be valid and effectual in the Law; and that all ſuch Acts, Orders, and Directions, Matters and Things, and all Engagements and Treaties which have been or ſhall be made or done by the ſaid Governor General, by virtue or in purſuance of the ſaid Act or Order in Council, and the Powers therein contained, ſhall be binding and valid, in like Manner, and as effectually, to all Intents and Purpoſes, as if the ſame had been paſſed, made, or done by the ſaid Governor General in Council at Fort William aforeſaid.

" II. And be it further enacted by the Authority aforeſaid, That during the Time that the ſaid Charles Earl Cornwallis ſhall continue to be Governor General as aforeſaid, and ſhall be reſident in the Preſidencies of Fort Saint George or Bombay, or ſhall be reſident in any other Part of India, either in the Execution of his Duty as Commander in Chief of the Forces, or for the Purpoſe of negotiating any Treaty of Peace, or other Treaty, conſequent upon the ſaid War, with any of the Princes or Powers in India, it ſhall and may be lawful for him the ſaid Charles Earl Cornwallis, for and on the Behalf of the ſaid Company, in his own Name, and by his own proper Authority, finally to conclude ſuch Engagements, Treaties, and Agreements, with any of the Chiefs or Powers in India, as the ſaid Earl ſhall judge expedient or neceſſary, either for the more vigorous and effectual Proſecution of the ſaid War, or for the Termination thereof, or otherwiſe for the Security or Advancement of the Rights and Intereſts of the ſaid Company, or for the more permanent Eſtabliſhment and Confirmation of the Alliances which already ſubſiſt, or which the ſaid Charles Earl Cornwallis ſhall judge it neceſſary to form with the ſaid Chiefs and Powers reſpectively; and to iſſue and enforce ſuch Orders, Directions, and Inſtructions to the reſpective Governors and Councils of the Preſidencies of Fort Saint George and Bombay reſpectively, and to make, do, execute, conclude, and perform, all and every ſuch further and other Acts, Deeds, Matters, and Things whatever, relating to or concerning the Rights and Intereſts of the ſaid Company or their Allies in India, as the ſaid Governor General might now make, give, do, execute, or perform, in Council aſſembled at Fort William aforeſaid; and that all Engagements, Treaties, Agreements, Orders, Directions, Inſtructions, Acts, Deeds, Matters, and Things whatſoever, as well ſuch as have been ſince the Twenty-firſt Day of November One thouſand Seven hundred and Ninety, as ſuch as ſhall, during the Continuance of the ſaid War, be hereafter negotiated, concluded, made, done, tranſacted, iſſued, or executed by the ſaid Earl Cornwallis, in and by

his own ſole Name and Authority, touching or concerning the Matters aforeſaid, ſhall be binding, valid, and effectual, and that all and every Perſon or Perſons ſhall pay due Obedience thereto, in like Manner, to all Intents, Conſtructions, and Purpoſes, as if the ſame had been iſſued, negotiated, concluded, made, done, tranſacted, or executed, reſpectively, by the Governor General in Council at Fort William, or by the Preſident or Governor in Council at Fort William, or by the Preſident or Governor in Council of Fort Saint George, or by the Preſident or Governor in Council of Bombay, under the Order or Direction of the Governor General in Council of Fort William aforeſaid reſpectively; any Law or Statute to the contrary thereof in any wiſe notwithſtanding.

" III. And be it further enacted by the Authority aforeſaid, That if the ſaid Charles Earl Cornwallis ſhall, during the Time aforeſaid, judge it neceſſary to iſſue any Orders or Directions to any of the Servants of the ſaid United Company, acting under the Authority of the reſpective Preſidencies aforeſaid, without previouſly communicating ſuch Orders and Directions to the reſpective Governors and Councils of the ſeveral Preſidencies under the Authority of which ſuch Servants ſhall be acting, ſuch Servants reſpectively ſhall, and they are hereby required to obey the ſame; and the ſaid Charles Earl Cornwallis ſhall, and he is hereby required to tranſmit, by the firſt Opportunity, to the Governors and Councils of the reſpective Preſidencies within which ſuch Orders and Directions are to be executed, Copies of all ſuch Orders and Directions reſpectively as ſhall be ſo given, together with the Reaſons, ſet forth in Writing, which to him made it appear neceſſary to iſſue ſuch Orders and Directions without ſuch Communication as aforeſaid, and ſhall alſo in like Manner tranſmit other Copies of the ſame, with the Reaſons aforeſaid, to the Court of Directors of the ſaid United Company.

" IV. And be it further enacted by the Authority aforeſaid, That all and every the Powers hereby given to the ſaid Charles Earl Cornwallis ſhall have Continuance until Three Months after the Termination of the ſaid War, or until the Return of the ſaid Charles Earl Cornwallis to Fort William aforeſaid, or until his Departure from India for Europe.

" V. And be it further enacted by the Authority aforeſaid, That all and every the Powers by this Act given to the ſaid Charles Earl Cornwallis, ſhall and may, on the Death, Reſignation, Recall, or Departure from India, of the ſaid Charles Earl Cornwallis, be exerciſed by Major General William Meadows, in caſe he ſhould ſucceed to the ſaid Offices of Governor General, and Commander in Chief of all the Company's Forces in India, or by any other Perſon who ſhall ſucceed to the ſaid Offices of Governor General, and Commander in Chief, in like Manner, and under the like Reſtrictions, as the ſame may be exerciſed by the ſaid Charles Earl Cornwallis by virtue of this Act.

" VI. Provided always, and it is hereby enacted, That it ſhall and may be lawful for the Court of Directors of the United Company of Merchants trading to the Eaſt Indies, with the Approbation of the Commiſſioners for the Affairs of India, to revoke and determine by an Inſtrument under their Common Seal, the ſaid Powers hereby given to the ſaid Charles Earl Cornwallis, at any Time when they ſhall judge it expedient and neceſſary, and that the ſame ſhall be revoked and determined accordingly, on the Receipt of ſuch Inſtrument as aforeſaid by the ſaid Charles Earl Cornwallis, or by ſuch Perſon as ſhall be appointed to or ſhall ſucceed the ſaid Charles Earl Cornwallis, in the ſaid Offices of Governor General, and Commander in Chief."

The Counſel for the Defendant ſtated they would next proceed to ſhew certain Orders from the Court of Directors ſubſequent to the Year 1702, relative to the local Reſidence of the Members of Council at Calcutta.

Read, from Book 549, already delivered in, the following Extract of a Letter from the Court of Directors, to the Preſident and Council at Fort William, dated the 24th of January 1753, beginning at Page 542 of the ſame Book:

" Our Preſident and Council at Fort William, in Bengal.

" Par. 62. It has been a Cuſtom for the ſecond in Council to be always Chief of Coſſimbuzar, this is not to be made a conſtant Rule, and we direct that for the future any one of the Council who has the beſt Abilities for that Poſt be appointed, without Regard to Seniority, excepting however the Major and Mr. Holwell, whoſe Stations are fixed.

" 63. You are to obſerve it as a ſtanding Order for the future, that no Perſon in Council do continue Chief of any ſubordinate Factory, excepting Coſſimbuzar, and therefore as ſoon as any Perſon is appointed of Council, he is immediately to reſign his Chiefſhip, and give his conſtant Attendance at Fort William.

" London,
24th Jan. 1753.

" William Baker, Chairman.
Rich[d] Chauncy, Deputy.

Cha[s] Cutts,	W[m] Moffett,
Peter Du Cane,	Chriſt[r] Burrow,
Abel Fonnereau,	John Payne,
Cha[s] Gough,	J. Winter,
Tho[s] Rous,	Will[m] Braund,
Timothy Tullie,	J. Raymond,
Whichcott Turner,	Nich[l] Linwood,
Stephen Law,	P. Godfrey,
R. Bootle,	Tho[s] Phipps,
Henry Plant,	John Hope,

W[m] Willey."

Read,

Read, from Book 420, already delivered in, the following Extract of a Letter from the Court of Directors, to the Preſident and Council at Fort William in Bengal, dated 25th of March 1757, beginning at Page 274 of the ſame Book.

" Our Preſident and Council at Fort William in Bengal.

" Par. 98. When the Directions were given in our general Letter of the 24th of January 1753, that no Perſon who by his Standing was of Council at Fort William, ſhould continue Chief of any ſubordinate Settlement, and for ſhifting the junior Servants from one Settlement to another, we thought that they were Meaſures that would anſwer very good Purpoſes, but we are ſince well ſatisfied that many Inconveniencies will flow from a Continuance of thoſe Regulations; we do therefore hereby repeal them, and we do henceforward leave it to you to employ our Covenant Servants in ſuch Places, for ſuch Times, and in general in ſuch a Manner, as according to the beſt of your Judgment will be moſt for the Intereſt of the Company, having a ſtrict Regard to their Qualifications for their preſent Employs, and their being in the Way of gaining Experience, to fill the ſuperior Stations they may gradually advance to with Ability and Reputation. You are to obſerve however, that this general Direction is not intended to break into the equitable Rule of promoting our Servants according to Seniority in the Service, when there is no reaſonable Objection to the contrary.

(Signed at the End)

" London,
25th March 1757.

" Peter Godfrey, Chairman.
John Payne, Deputy.

John Dorien,	R. Drake,
Stephen Law,	W. Impey,
Wm Barwell,	Chriſtr Burrow,
Charles Chambers,	M. Weſtern,
John Manſhip,	Chas Gough,
Hy Crabb Boulton,	Thos Rous,
N. Newnham, jun.	Laur Sulivan,
J. Raymond.	Henry Savage."

Read, from Book 2, already delivered in, the following Extract of a Letter from the Court of Directors, to the Preſident and Select Committee at Fort William, dated the 21ſt November 1766, beginning at Page 297 of the ſame Book.

" Our Preſident and Select Committee at Fort William in Bengal.

" 37. If the Preſence of any of the Members of the Select Committee can at any Time be diſpenſed with, we have no Objection to their being employed in the Chiefſhips of ſuch ſubordinate Factories as their Rank may entitle them to, provided it ſhall appear to you compatible with the Company's Intereſts, and that there ſhall at all Times, be three Members on the Spot.

" We are
Your loving Friends,

" London,
21ſt November 1766.

" Geo Dudley,	J. Creſwicke,
Thos Rous,	E. H. Cruttenden,
Robt Jones,	George Cuming,
Chas Cutts,	John Roberts,
Fredk Pigou,	J. Pardoe,
Henry Savage,	Peter Du Cane, jun.
J. Purling,	Luke Scrafton,
John Harriſon,	Charles Chambers,
Chriſtr Baren,	F. W. Barrington,
Thos Saunders,	Edwd Wheler,
Josh Du Pre,	George Wombwell."

Read, the following Extract of a Letter from the Court of Directors, to the Preſident and Council at Fort William, dated the 20th November 1767, beginning at Page 582 of the ſame Book.

" Our Preſident and Council at Fort William in Bengal.

" Par. 107. Upon the Amount of the ſaid Nett Revenues, you are hereby indulged to draw a Commiſſion of Two and an Half per Cent.

" 108. The Sum, which ſhall be the Produce of the ſaid 2½ per Cent. is to be divided into One hundred Parts or Shares, which Parts or Shares are to be appropriated in the following Manner, viz.

" The

	Shares.
" The Governor is to have — — — — —	31
The Second in Council — — — — —	4½
The Reſt of the Select Committee, not having a Chiefſhip, each —	3½
The Reſt of the Council, not having a Chiefſhip, each —	1½

" 109. For it is our Meaning and Directions that the Chiefs of Coſſimbuzar, Patna, Dacca, and Chittagong, are not to have any Proportion of the ſaid Shares.

" 110. Being convinced that the Employs * of Reſident at the Durbar, and Chief of Coſſimbuzar cannot, for the Importance and Extent of the Buſineſs of each Department, be properly executed by one Perſon; we therefore direct, that they be from this Time forward ſeparated, and that ſome other Member of the Council be appointed to the ſaid Chiefship. We do not make this Regulation from any Failure of Attention on the Part of Mr. Sykes, with whoſe Conduct we are perfectly ſatisfied. * Sic in Orig.

(Signed at the End)

" We are your loving Friends,

" London,
20th November 1767,
Bengal Select.

" H^y Crabb Boulton,
John Stephenſon,
T. Creſwicke,
Edwd Wheler,
G. Colebroke,
Ja^s Cockburn,
Ben. Booth,
E. H. Crutchenden,
Geo. Wombwell,
William Snell,
Thos Rous,
Thos Saunders,
Geo. Dudley,
Pere Cuſt,
Hen^y Savage,
Rob. Jones,
John Manſhip,
F. W. Barrington,
Luke Scraſton,
John Roberts,
J. Pardoe."

Read, from Book 173, already delivered in, the following Extract of a Letter from the Court of Directors to the Preſident and Council at Fort William, dated 23d March 1770, beginning at Page 301 of the ſame Book.

" Our Preſident and Council at Fort William in Bengal.

179. " Having taken into our moſt ſerious Conſideration the Magnitude and Importance of the Management of our Affairs, depending on your Civil Eſtabliſhment; and that the Adminiſtration thereof may be conducted to the greateſt Advantage of the Company and the Proſperity of all under their Protection; we have fully inſtructed the Commiſſioners to carry the following Reſolutions into Execution: That with the Governor, and excluſive of the military Commander, the Council of Bengal ſhall conſiſt of Nine Members and no more: That none of the Council be permitted to act as Chiefs of any of the ſubordinate Factories, but ſhall all conſtantly reſide at Calcutta; the Reſident at the Durbar, if that Office ſhall be filled by a Counſellor, and the military Commander excepted; that no Member of the Council ſhall have any Employ annexed to that Station, but that all Offices be executed by the ſenior Servants, not Members of the Board: And that the ſaid Council be formed into proper Committees, that the Controul, Superintendency, and Direction of the Company's Affairs at the Preſidency and Subordinates, may be faithfully and impartially tranſacted to their greateſt Benefit and Advantage: You muſt therefore comply with ſuch Inſtructions and Directions as they ſhall think proper to give relating thereto, until you ſhall receive our Orders thereon.

" We are,

Your loving Friends,

" London,
23d March 1770.

' Ben. Booth,
George Cuming,
Jno Woodhouſe,
L. Sulivan,
Wm James,
Hen^ry Fletcher,
Geo. Dempſter,
Chas Boddam,
W. G. Freeman,
Robt Gregory,
G. Colebroke,
P. Cuſt.
H^y Crabb Boulton,
T. Purling,
Fred^k Pigou,
John Harriſon,
R^d Boſanquet,
Daniel Weir,
William Snell,
Peter Du Cane, junior."

Read,

Read, from Book 176, already delivered in, the following Extract of a Letter from the Court of Directors, to the Preſident and Council at Fort William in Bengal, dated the 28th of Auguſt 1771, beginning at Page 111 of the ſame Book.

" Our Preſident and Council at Fort William, in Bengal.

" Par. 27. Having, from various important Conſiderations, thought it proper to recall the Members of Council from your ſeveral ſubordinate Factories, and to reſtrict their Reſidence to Calcutta, we ſignified our Pleaſure in this Reſpect in our Letter to our Commiſſioners, dated the 23d of March 1770, and having authorized and directed you to open our ſeveral Letters under their Addreſs, it is unneceſſary for us to recapitulate the Inſtructions contained therein; we however take this Occaſion to explain ourſelves more fully on that Part of them which directs, that on the Removal of the Members of your Board from the Chiefships of the ſeveral Subordinates, thoſe Stations ſhould be filled by our Servants below Council.

(Signed at the End of the Letter)

" Ja[s] Michie,	J. Purling,
Dan[l] Wier,	Geo. Dudley,
George Cuming,	Hen[y] Savage,
Rich[d] Boſanquet,	Fred[k] Pigou,
Edw[d] Wheler,	L. Sulivan,
T. Hurlock,	J. Manſhip,
John Roberts,	Ja. Cockburn,
Joſhua Smith,	W[m] James,
John Harriſon,	Peter Du Cane, Jun[r]."

Read, from Book 176, already delivered in, the following Extract of a Letter from the Court of Directors, to the Preſident and Council at Fort William, dated 24th November 1772, beginning at Page 429 of the ſame Book.

" Our Preſident and Council at Fort William, in Bengal.

" 9. Having reviſed and maturely conſidered of the Orders given in the 179th Paragraph of our Letter of the 23d March 1770, for confining the Reſidence of the Members of the Council to the Seat of the Preſidency, and not ſuffering any of the Board, the Reſident of the Durbar excepted, to act as Chiefs of any of the ſubordinate Factories; and finding that notwithſtanding our well-intentioned Views, expreſſed at the Time of eſtabliſhing the above mentioned Diſpoſitions, that they have not been attended with thoſe ſalutary Effects we then hoped they would produce, we can no longer deſiſt from revoking, and do hereby revoke the aforeſaid Orders, confiding that thereby the Regularity of the Government in Bengal will be greatly promoted, and the intolerable Monopolies carried on in the Country, ſo oppreſſive to the Inhabitants, and prejudicial to our Revenues and Inveſtment, particularly of Raw Silk, will be totally extirpated.

" London,
24th November 1772.

" We are,
Your loving Friends,

" Tho[s] Dethick,	G. Colebrooke,
R[d] Boſanquet,	Law. Sulivan,
Henry Fletcher,	H[y] Crabb Boulton,
T. Hurlock,	Joſhua Smith;
George Cuming,	Hen[y] Savage,
Tho[s] Rumbold,	Edw[d] Wheler,
John Roberts,	W. Devaynes,
Jno. Michie,	Ja. Cockburn,
Rob[t] Gregory,	Pet. Laſcelles,
Ben. Booth,	Cha[s] Boddam,
George Dempſter,	Peter Du Cane, Jun[r].

George Tatem."

The Counſel for the Defendant informed the Houſe, They would next proceed to the only remaining Subject of Evidence prior to the Governor General's going up to Banares, namely, the Diſtreſs of Major Camac's Detachment; in Proof of which they would produce a private Letter, written by Major Camac to the Defendant, and requeſted that Major Scott might be called in.

MAJOR SCOTT was accordingly again called in, and examined as follows:

Q. Whether you have ſeen Major Camac write, and are acquainted with his Hand Writing?
A. I have.

Then

Then a Paper was ſhewn the Witneſs, and he was aſked,

Q. Is that his Hand Writing?
A. Yes, I believe it is: The Incloſure is not—the Incloſure is a different Hand.

The Witneſs was directed to withdraw.

Then the Paper and Incloſures were delivered in, and the Counſel for the Defendant deſired the Paper might be read.

The ſame was read as follows:

" Dear Sir, " Camp at Salbye, 1ſt November 1780.

" I arrived in Camp the 28th from Devyur, and immediately gave Orders for marching on to the other Detachment; but hearing of their very great Diſtreſs for Proviſion, and the Cauſe of it, Want of Money, I was obliged to countermand it, in order to afford them every Aſſiſtance in my Power. From the encloſed Extracts from Captain Johnſon and Mr. Hicks, you will ſee the State of Matters with them. They are now advanced into the Hills beyond Narwar, and though it is only 12 Coſs, from the Badneſs of the Road, they have Three Days March to Sipparee. From the utter Want of Money in Camp, and the Baniahs having truſted the Sepoys till they have not an Annah left, it is impoſſible to carry a ſingle Day's Proviſion with them. The Sepoys have not a Rupee to pay for Grain, being Three Months in Arrears, nor can the Baniahs ſupply them longer, and both are deſerting very faſt.—In this Situation, it was impoſſible to advance without Three Days Proviſion; and it would be Deſtruction to return. But their Difficulties are ſtrongly painted in the Encloſed, wherein you may perceive it was debated, and reſolved to return, if my Letter had not juſt then arrived. In theſe untoward Circumſtances you may conceive my State of Mind; every Exertion was made uſe of to raiſe Caſh; every Reſource and Expedient tried.—To add to my Miſery, the Money which I had fed my Hopes, and was in hourly Expectation of from Benares, came the Day before only in Part, to the Amount of 2 Lack and ½ in Bills, on Gohud, at 52 Days after Date; ſo that there was 40 and odd Days remaining of it. This had been ordered the * 12th September by the Board, and tho' ſo early as the Middle of that Month, I had told you my Diſtreſs, yet I had managed one Way or other, and never plagued you with my Difficulties in this Reſpect, feeding my Hopes with this expected Supply.—They were all daſhed by this News, and had no Reſource but in the Rannee, or endeavouring to get them diſcounted.—I inſtantly diſpatched a Bill for a Lack of Rupees to Gohud, to raiſe Money on it, and wrote the Ranna in the moſt preſſing Terms, who ſent me 12,000 Rupees.—I ſent off the Bill for a Lack and ½ to Furruckabad, but could get no Money either here or at Gohud. To all theſe Embarraſſments, the Deſertion was very great, from the Apprehenſions which were conceived that we were going to Bombay. No leſs than 150 ran off in one Night from Captain Brown's Battalion; all the Men of Property of the Province of Bahar, who had entered into the Service for their Protection, which their Battalion, being at a provincial Station, could afford to the Lands and Families. I have got all their Names and Abodes, and ſent them to the Commander in Chief, and they may be eaſily found out. Their Family, who afford them Protection, ought to be made to ſuffer, which will deter others from a Practice ſo alarming and dangerous. By this, their Friends will not receive them again in ſuch a Predicament. 'Tis probable they have again got Service in Captain Crawford's or ſome other ſtationary Corps, and will do the ſame again if tried. In Conſequence of this, I have wrote to Colonels Morgan and Muir for 500 Drafts, Four Fifths of which will go to the Light Infantry Corps, and the Reſt to the other Five Battalions.

(Signed at the End)
" J. Camac."

* Sic in Orig.

The Counſel for the Defendant deſired the Encloſures in the Letter above-mentioned might be read.

The Managers for the Commons objected to the ſame being read, and were heard in Support of their Objection.

The Counſel for the Defendant being heard in anſwer to the ſame,

The ſaid Encloſures were ordered to be read, and are as follow:

" Extracts of a Letter from Captain Gabriel Johnſon to Major Camac, dated 3 Coſs from Narwar, 27th October 1780.

" I Yeſterday wrote you, alſo the Night before, from Narwar, acquainting you with our Situation, and the Likelihood there was of our being without Proviſions, which I ſaw no Probability of obtaining from the Rajah, and that if we did not get a Supply here ſufficient to carry us to Sipparee, which is between 10 and 12 Coſs off, through Rocks and Hills, where we cannot meet with the leaſt Aſſiſtance, but * it would be impoſſible to proceed further; all we have been able to get from the Rajah's People, ſince we came into this Neighbourhood, is only Six or Eight Bullock Loads.—This has made Grain ſo very ſcarce this Evening, that we ſhall be diſtreſſed To-morrow. I gave out Orders for March To-morrow, but theſe Circumſtances have obliged me to countermand it this Night, till I hear from you, and till you order Grain in from the Ranah's Country.

* Sic in Orig.

If I was not in the open Country, I ſhould not mind it ſo much; but here there is no Poſſibility of ſending out a Party, or finding a Village."

" Extract of a Letter from Captain Johnſon to Major Camac, dated Camp, Two o'Clock, 28th October, 1780.

" I wrote you the 25th, at Night, from Narwar, and every Day ſince, acquainting you with our Situation, and of the Want we were likely to be in for Proviſions, which is now ſo ſcarce, that we have not in the whole Camp ſufficient for one Battalion, nor have we Money to buy it with. The Rajah ſays, he has not any to give us; the Banyans have not Money no more than the People. I do not know what may be the Conſequences of this Day; but I fear worſe To-morrow. I ſhall be obliged to march back, and recroſs the Sind, if I have not a Supply this Night. If the Banyans had any Money to have purchaſed Proviſions in the open Country, this Diſtreſs would not have fallen on us; but they have not. Our People are deſerting very faſt, both Sepoys and Buzar People. Therewith ſend a Note of Captain Adderley's on that Subject. I have juſt heard, there is not in the whole Buzar more than 40 Maunds of every Kind of Grain put together, ſo that we are in the moſt diſtreſſed Situation that People can be in. I muſt therefore march back To-morrow to the Banks of the Sind, and there I ſhall be as bad off as here if Supplies are not ſent us; indeed, if it does not come before. Captain Clode and Maclary have been with me juſt now, and tell me the ſame almoſt as I tell you."

" Extracts of a Letter from the Same to Major Camac, dated Camp, 11 o'Clock at Night, 29th October, 1780.

" I was honoured with your Letter of Yeſterday, at eight o'Clock this Evening, juſt as I was conſulting about returning to the Sind; but your Letter has determined me to wait a Day or two longer, in hopes of the wiſhed-for Supply of Proviſions. To advance without it is impoſſible; the Country will not ſupply us without Money to purchaſe it; and Money we have none among us, which occaſions the greateſt Diſcontent all throughout the Camp. I have aſked the Opinion of the different Officers commanding Corps, all of whom were with me when your Letter came came to Hand, and they gave it as their Opinion, that I ſhould not advance till I was ſupplied with at leaſt three Days Proviſions to carry us to Sipparee; that if I did not *, I muſt take upon myſelf the Conſequences, for that Numbers of our People would leave us, and that perhaps ſomething worſe might happen."

* Sic in Orig.

" Extract of a Letter from Lieutenant John Hicks to Major Camac, dated Camp, 29th October, 1780.

" I find it is the Opinion of the Officers commanding Corps, that we cannot proceed on at preſent, on Account of the Scarcity of Proviſions. I cannot help being apprehenſive, that a Detachment, ſetting forward three Months in Arrears, can be attended with any great Probability of Succeſs;—it is impoſſible that you can ever hear or know half of the Mournings in Camp. I do not mean amongſt the Officers, for I am well perſuaded that they would readily go much longer if the Sepoys were paid up.

" If the Banyans had Money it would be better; but they have expended the little Caſh they had, and there being * no Circulation in the Buzar."

* Sic in Orig.

The Counſel for the Defendant ſtated, That they ſhould next produce other Evidence of the Situation of the Company at this Period, when the Rajah Cheit Sing was withholding his Aſſiſtance. And firſt, as to the Diſtreſs of the Company antecedent to the Invaſion of Hyder Aſſy in the Year 1780.

Read, from Book 26, already delivered in, the following Extract of a Conſultation of the 19th June 1780, beginning at Page 469 of the ſame Book.

" Fort William, 19th June 1780.

Secret Dep. Monday.

" At a Council; Preſent,

The Honble. Warren Haſtings Eſquire, Governor General, Preſident;

Philip Francis, Edward Wheler, } Eſquires.

Lieutenant General Sir Eyre Coote, abſent on a Viſit to the different Stations of the Army.

" 5th, Becauſe it appears to us, that the State of our Treaſury is not in any Degree equal to the exiſting and increaſing Demands, which preſs upon the Government. The apparent Balance on Monday laſt, including the Depoſit in the New Fort (without which we ſhould conſider ourſelves as totally unprovided for Meaſures of immediate Defence, if ſuch ſhould become neceſſary) amounted

amounted to no more than, current Rupees, 42,09,453. Deduct the Depoſit in the New Fort; and let the Account be ſtated as it will then ſtand, and as it ought to ſtand:

Cr.	C. Rs.	Dr.	C. Rs.
Remainder after deducting the Sum in the New Fort	6,13,453	Depoſits of private Property.	14,87, 958
Balance or actual Debt againſt the Treaſury	31,35,453	Amount of Orders unpaid — —	20,86,949
		Bills drawn by General Goddard unpaid — —	1,73,999
	37,48,906		37,48,906

This View of our Situation undoubtedly leads to other important Concluſions; that, to which we mean to confine it at preſent is, that we are in no Condition to undertake new Expences; nor, if our Treaſury were better ſupplied than it is, ſhould we think it prudent to expoſe ourſelves to the Demands of another Expedition, in the Plan of which we ſee no eſſential Difference from that which ſtill exiſts under General Goddard (*a*).

(Signed at the End of the Conſultation)

" Warren Haſtings,
P. Francis,
Edwd Wheler."

The Counſel for the Defendant ſtated, That under the above Head of Evidence they ſhould next refer the Houſe to the Minute of Mr. Francis, of 26th September 1780, already given in Evidence on another Subject, in the preceding Parts of this Day's Proceedings (*b*).

Read, from Book 30, already delivered in, the following Extract of a Conſultation of the 21ſt Auguſt 1780, beginning at Page 5 of the ſame Book.

" Fort William, 21ſt Auguſt 1780.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
and
Edward Wheeler, Eſq.
Mr. Francis indiſpoſed.
Sir Eyre Coote abſent on a Viſit to the different Stations of the Army.

" Gentlemen,

" Our laſt Letter (of which we encloſe a Duplicate), gave you Information of the Approach of Hyder Ally, with a large Army, towards our Frontiers. We now tranſmit two Papers of Intelligence, juſt received from the Nabob, by which you will learn, that he has actually detached Part of his Cavalry into the Carnatic, and is preparing to follow with his whole Army.

" We are taking Meaſures for aſſembling our Troops in a proper Situation to oppoſe this Attack, and defend the Country in the beſt Manner we are able, but the Alarm already occaſioned by the Report of an Invaſion, and the Ravages which have been actually committed by Hyder's Horſe, have driven the People from their Habitations, and put an entire Stop to the Tillage of the Ground.

" Under theſe Circumſtances it will be impoſſible for us to draw Reſources from the Country, in any Degree equal to the Expences which this War muſt inevitably produce, and if we do not obtain a ſpeedy Supply of Money from you, we ſee no Probability of our being able to act with Vigour and Effect, proportionable to the Exigency of our Situation.

" If we can be aſſured of ſufficient Means to carry on the War, we ſhould propoſe an immediate and powerful Diverſion on the Malabar Coaſt, where the Poſſeſſions of Hyder are more within the Reach of our Force, and might, by the Aſſiſtance of the Squadron, become an eaſy Conqueſt; the principal Settlement belonging to Hyder on that Coaſt is Mangalore, to which we ſhould firſt point our Attention. We are ſenſible however that theſe Operations will depend much upon the State of our Affairs with the Mahrattas, at leaſt with reſpect to the Force to be employed againſt Hyder, for it would be highly imprudent in us to detach any Part of the Troops now remaining with us upon ſuch diſtant Service; and as you have the entire Direction of the Force on the other Side of India, we doubt not you will conſider how it may be beſt applied to the Annoyance of this new Enemy. We have at Tillicherry a Detachment of Troops from this Coaſt, which might be of uſe, and which, if you think proper, we will direct to co-operate with the other Troops in any Plan you may adopt,

(*a*) See Appendix, N° CCXXVIII, ſupra.

(*b*) Vide ſupra, Page 1522.

we

we ſhall only obſerve upon this Head, that the proper Time for commencing any Operation on the Malabar Coaſt will be in the Month of September or October, when the Monſoon will admit of the Squadron going round.

" As the Company have never, within our Remembrance, experienced ſo wanton and unprovoked an Attack as that againſt which we are now called upon to defend them, we are confident the ſeveral Preſidencies will unite Heart and Hand to humble and reduce, within proper Bounds, the Power which has thus dared them; and we reſt aſſured that your Honble. Board will exert itſelf in a particular Manner on this Occaſion, to ſupport the Honour and Intereſts of the Company, and promote the Reputation which their Arms have hitherto acquired in the Wars of Hindoſtan.

" We are, &c.

" Fort St. George,
26th July, 1780.

(Signed) John Whitehill,
&c. Seleƈt Committee. (*a*)

(Signed at the End of the Conſultation)

Warren Haſtings,
Edwd Wheler."

Read, from Book 30, the following Extraƈt of an Appendix to a Conſultation of the 23d November 1780, beginning at Page 727, of the ſame Book.

" Copy of a Letter from General Goddard, dated at Bombay, the 24th Auguſt 1780." (*b*)

Read, a further Extraƈt from the ſame Appendix to the ſame Conſultation, beginning at Page 736, of the ſame Book, as follows:

" I obſerve with real Concern and Diſappointment, that the Diſtreſs for Money, which you ſo ſtrongly repreſent, becauſe my own cannot be inferior; and the Honble. Governor General and Council have depended upon the Reſource of the new required Revenue, for the greateſt Part of my Supply. I have been compelled for ſome Time paſt to draw Bills upon them at a conſiderable Loſs, which nothing but the moſt urgent and extreme Neceſſity could juſtify, to provide for the mere Subſiſtance of the Troops; but even this Reſource has proved inadequate, and the Army is greatly in Arrears. It is now no longer to be depended upon. I am firmly perſuaded of your Readineſs to afford me every Aſſiſtance in your Power, and in that Confidence, urged by the preſſing and immediate Neceſſities of the Service, hope you will find it practicable to comply with my Requeſt of appropriating the Firſt Payment of the Revenues of the Country, dependent on Surat, which is paid in Advance, to the ſole Uſe of the Army now under my Command.

" I have the Honour to be,
Gentlemen,
Your moſt obedient humble Servant,
(Signed) " William Goddard. (*c*)

" A true Copy.
(Signed) " Edward T. Croft, Sec^ry.

(Signed at the End of the Conſultation itſelf)
" Warren Haſtings,
Edwd Wheler."

Read, from the ſame Book, the following Extraƈt of a Conſultation of 23d November 1780, beginning at Page 701, of the ſame.

" Fort William, the 23d November 1780.

Secret Dept. Thurſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler, Eſquire.
Philip Francis, Eſquire, indiſpoſed.
Lieutenant General Sir Eyre Coote abſent on Service at the Preſidency of Fort St. George.

" I ſhall, in purſuance of the Plan fixed upon, take the earlieſt Opportunity of putting the Troops from Surat in Motion, which, I apprehend, on Account of the uncommon Quantity of Rains that has fallen this Year, and ſtill continues to fall, cannot poſſible * be before the 1ſt October. I hope, however, there will be no Neceſſity of Delay after that Period; and as I propoſe returning to Surat in a few Days, and the Army is already prepared to take the Field, no other Impediment, but the Inclemency of the Seaſon, and the conſequent Difficulty of the March

* Sic in Orig.

(*a*) Vide Appendix, N° CCXXXVII. (*b*) Vide Appendix, N° CCXXXVIII. (*c*) Vide Appendix, Ibid.

along the Coaſt from the Swelling of the numerous Rivers that empty themſelves into the Sea from the Hills that are adjacent, can poſſibly occur to protract my Operations. I ſhall not fail to give you immediate Notice of my Movements, and of the Diſpoſition of Force I may find it neceſſary to make for the Protection of the Companies Territories in Guzerat.

" The Sentiments of the Committee, relative to the Partition of Territory made with Futty Sing, preciſely correſpond with thoſe I have already ventured to give you upon the ſame Subject, and I flatter myſelf you will admit of their preſent Juſtice and Propriety.

" I need not, I am convinced, call your Attention to that Part of the Committee's Letter, which relates to the Supplies of Money, ſetting forth their Diſtreſs, and the Impoſſibility of an excluſive Appropriation of the Revenues ariſing from the new acquired Purgunahs to the Payment of the Army under my Command, as its own Importance will give it a Claim to your immediate and particular Notice. Their Reſolution of ſetting them apart for the general Purpoſes of the War, involves ſuch a Variety of Charges, and ſo extenſive a Field of Expence, that, excluſive of the Precarioufneſs and, at preſent, inadequate Extent of the Revenue itſelf, leaves, I muſt confeſs, but little Hopes of Benefit or effectual Aſſiſtance from it. Let me therefore repeat my earneſt Solicitations, that you will exert every Endeavour to remedy the Evils already felt, and prevent thoſe, ſtill more ſevere, which we muſt inevitably experience, unleſs you ſtrain every Reſource, at this Time, to adminiſter Relief. I have ſo often troubled you with Repreſentations on this Subject, and you are yourſelves ſo well informed of the circumſcribed Means poſſeſſed by this Government, towards extricating themſelves and me from our preſent Diſtreſs, that I feel at once the Impropriety of enlarging further on it. (*a*)

(Signed at the End of the Letter)

" Bombay, September 6th 1780. " Thomas Goddard.

(And at the End of the Conſultation)

" Warren Haſtings,
Ed[d] Wheler."

Read, from Book 27, already delivered in, the following Extract of a Conſultation of the 28th Auguſt 1780.

" Fort William, the 28th Auguſt 1780.

" At a Council; Preſent, Pub. Dept. Monday.
The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler, Eſquire,
Lieutenant General Sir Eyre Coote, K. B.

Mr. Francis indiſpoſed.

" The Governor General.

" When I took Charge of this Government, under the former Syſtem of it, I found it loaded with a bonded Debt of One Crore and One Lack of Rupees, which Amount, in a very ſhort Time after, grew to One Crore and Twenty-five Lacks. It was my good Fortune and Happineſs to ſee this enormous Debt wholly reduced, and a Sum accumulated in our Treaſuries which, as I recollected, amounted at one Time to Two Crore and Twenty Lacks of Rupees; ſince that Time, our Expences have been increaſing, our Means declining, (I will not in this Place enumerate the Cauſes of both), and it is now my hard Lot, and a painful Duty impoſed on me by the Neceſſity of the Times, to propoſe, that we ſhould again have recourſe to the Means of ſupplying our growing Wants, and provide againſt the multiplying * the multiplying Exigencies, not of this State only, but of the other Preſidencies, whoſe Exiſtence muſt depend upon our Care of them, by taking up Money at Intereſt; the Sum I do not propoſe, becauſe I think it ſhould not be limited. * Sic in Orig.

" The Subject is itſelf of too much Importance for a precipitate Deciſion. I deſire only to ſubmit it at this Time to the Conſideration of the Board, and requeſt that the other Members of it will be pleaſed to contribute their Opinions upon it, hoping that it may be reſumed, and a final Concluſion drawn upon it at our next Meeting in this Department. (*b*)

(Signed at the End of the Conſultation)

" Warren Haſtings."

(*a*) Vide ſupra Appendix, N° CCXXXVIII. (*b*) Vide Appendix, N° CCXXXIX.

Read, from Book 30, already delivered in, the following Extract of a Conſultation of the 26th of October 1780, beginning at Page 621 of the ſame Book.

" Fort William, the 26th October 1780.

Secret Dept. Thurſday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
Philip Francis, Edward Wheler, } Eſquires.
Lieutenant General Sir Eyre Coote abſent on Service.

" By the late Accounts I have received from the Coaſt, I find the Whole of the Europeans they can muſter in the Field, including Artillery, do not amount to 700, of which the King's Regiment are not 200. Theſe, with Seven Battallions of Sepoys and 200 Horſe, compoſe the Strength of their Army now cantoned at Marmalory, under the Command of Lieutenant Colonel Harpur, whom the Preſidency of Fort St. George lately thought proper to remove from his Command in the Circars, after having experienced an unfortunate Defeat from ſome of Hyder's Troops. I alſo learn that Colonel Braithwait is ſent to command at Tanjore. However, as I have every Reaſon to expect that I ſhall be able to get away from this diſagreeable Place To-morrow Morning, I truſt it will not be long ere I have the Honour to be at the Head of that Army myſelf. (*a*)

(Signed at the End of the Letter)
" Eyre Coote.
(And at the End of the Conſultation)
" P. Francis."

To ſhew the Situation of the Company's Affairs about the Period of Time when Sir Eyre Coote arrived at Madras, and ſubſequent the Applications made to the Rajah Cheit Sing; and Firſt, to ſhew the State of the Settlement of Madras:

Read, from Book 550, already delivered in, the following Extract of a Conſultation of the 14th December 1780, beginning at Page 33 of the ſame Book.

" Fort William, 14th December 1780.

Secret Dept. Thurſday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
and
Edward Wheler Eſquire.
Lieutenant General Sir Eyre Coote abſent on Command, at the Preſidency of Fort St. George.

" It may not be amiſs to give you this early Information, as a Guide for your making the neceſſary Proviſion for the future Diſburſements at this Settlement, which, by the Computation I can make, will rather exceed Seven Lacks of Rupees per Menſem, every Cowrie of which muſt come from Bengal, as I find there are no Reſources here from whence a Pagoda is to be expected. I ſhall in a Day or Two have an exact Eſtimate of every Expence made out, and forwarded to you for your more particular Information.

" The 10th November.

" I went Yeſterday to review the Army encamped Fives Miles from hence—Appearances not in their Favor; but what is worſe, I found from the Officer in Command of the Sepoys, that the Capture of Arcot, * from whence they moſt commemorate, have, from the Circumſtance of their Wives, Families, and other near Relations being there, not only diſpirited them, but created In them that Kind of Averſion to the Service which have already produced many Deſertions, and in caſe of actual Service, gives us every Reaſon to apprehend Infidelity: Judge from this how anxious I muſt be for a Recruit of Sepoys from Bengal, even if the Detachment which is to come by Land is ſet out, as it is impoſſible it can reach me for theſe Four Months to come, long before which Time I conceive every Thing will be decided one Way or the other. I muſt entreat it of you, as a Point moſt material to the Succeſs of my Operations, and abſolutely neceſſary to avert that Danger, that you uſe your Endeavours to obtain Volunteers from among the Battalions. There are many poſſibly who will undertake a Voyage, which at this Seaſon is very ſhort, and ſend ſome to me; many Opportunities may offer by the Ships which now daily ſail from Calcutta to this Place. (*b*)

* Sic in Orig.

(Signed at the End of the Letter) " Eyre Coote."

*" Fort St. George, 10th November 1780.

(And at the End of the Conſultation)
" Edwd Wheler."

(*a*) Vide ſupra Appendix, N° CCXXXII. (*b*) Vide Appendix, N° CCXL.

The

The Counſel for the Defendant ſtated, That under this Head of Evidence they ſhould now produce certain Letters from Mr. Smith, then lately appointed to the Government of Fort Saint George, which were not entered upon any of the Conſultations; and deſired that Mr. Cullen Smith might be called to prove the Hand Writing to the ſame.

Mr. CULLEN SMITH was accordingly called in, and being ſworn, ſeveral Papers were ſhewn him, and he was aſked:

Q. Are theſe the Hand Writing of your Brother Mr. Charles Smith?
A. They are his Signatures.

The Witneſs was directed to withdraw.

Then the ſame were delivered in, and one of the ſaid Papers was read as follows:

" Fort St. George, 18th November, 1780.

" Dear Sir,

" Our public Letter has informed you of my having taken Charge of this Government; but this is not ſufficient for me who has experienced your Friendſhip for many Years, and wiſhes to cultivate it on all Occaſions.

" However flattering my preſent Station may be in Appearance, yet I confeſs it is to me irkſome, as the Situation of Affairs afford no Proſpect but Anxiety and Trouble: All I can promiſe is the utmoſt Attention to the Public Service, and that no partial Views of my own ſhall impede it.

" I am come to this Government when there is an exhauſted Treaſury, and a bad Proſpect of future Reſource; yet an unavoidable heavy Military and Civil Liſt to provide for. In this Situation it is not in my Power to do more than to uſe every Means I can deviſe, for preſerving the ſtricteſt Œconomy, and recovering the enormous outſtanding Balances. His Highneſs the Nabob is reduced to a State of Bankruptcy; and inſtead of affording us any Aſſiſtance, we have been obliged to diſcharge the Arrears of his Cavalry, and to take it into our Pay, on his Aſſignment of Countries for the Payment of all Expences which may be incurred on this Account.

" The Rajah of Tanjore pleads Inability to make any Advance, although his Country is in profound Tranquility; and he ſtates his Affairs in ſuch a Manner as renders it neceſſary to be extremely cautious how we proceed in any Meaſure which may be deviſed for procuring Aid from him.

" The northern Rajahs and Renters are ſtill largely in Arrears, but I have Aſſurances that there will be a conſiderable Sum forthcoming at the Commencement of the Year; and I ſhall continue my Remonſtrances for further Payments.

" When the uſual Advances are made in the Beginning of next Month, I can aſſure you there will not be a Pagoda in our Treaſury; and that we muſt apply to Sir Eyre Coote for our future Diſburſements. This is a Circumſtance which will evince the Neceſſity of your ſupplying us with Money from Bengal as ſoon as poſſible.

" Although I cannot flatter myſelf with the Pleaſure of hearing from you often, yet I ſhall not omit an Opportunity to inform you of any Thing I deem ſufficiently important to engage your Attention.

" I have the Honour to be,
Dear Sir, Yours, &c.
" Charles Smith."

To prove that Sir Eyre Coote was prevented from attacking Hyder Ally on account of the total Want of Proviſions for his Army on the Coaſt,

Read, from Book 550, already delivered in, the following Extract of a Conſultation of the 18th December 1780, beginning at Page 93 of the ſame Book.

" Fort William, December 18th 1780.

" At a Council; Preſent, Secret Dept. Monday.
The Honourable Warren Haſtings, Governor General, Preſident,
and
Edward Wheler.
Lieutenant General Sir Eyre Coote, K. B. abſent.

" I cannot pretend to ſay what Changes, whilſt the Seaſon obliges me to remain inactive, may be produced either by Time or my own Exertions; but it is neceſſary I ſhould tell you, that were I not obſtructed by the Weather, and ever ſo willing to enter upon Action, my Force is neither

neither ſufficient, nor in ſo prepared a State as to be equal to the Undertaking of attacking Heyder in the very formidable Poſts which he now occupies; beſides there are other very formidable Poſts which he now occupies; beſides, there are other very material Reaſons, which render it for the preſent altogether impoſſible. The Deficiency of Tents is mentioned in my laſt Letter. I am now having ſome made from ſuch Materials as are procurable. The Field Artillery, requiſite for the Service, is not in Readineſs, of which there needs no other Teſtimony than barely my mentioning that, at this Moment, Carriages and Tumbrels are making for it. The Circumſtance evinces how little that very eſſential Branch of the Military Department has been regarded: The Draft Cattle, beſides being deficient in Numbers, are in ſo weakly a Condition, that 20 Yoke of them, but Two Days ago, with the greateſt Difficulty dragged a Twelve Pounder through the Streets of the Garriſon. What then is to be expected of them in the unequal Ground, and the bad Roads which muſt be met with in the Courſe of a Campaign. It is impoſſible to ſay when or how I may be able to remedy this worſt of Evils, as my Enquiries hitherto, for a Supply of Draft Bullocks, have neither produced preſent, nor promiſed me Hopes of future Succeſs; and laſt of all, are the Incoveniencies which ariſe reſpecting Proviſions. My laſt Letter acquaints you of their Scarcity, and that there were none to be had beyond Five Miles from this Place; and what little could be drawn from that ſmall Circle, I may ſafely ſay, is already pretty well exhauſted; moreover, what Articles it does furniſh, are of a Kind more calculated for the Uſe of the European Inhabitants, to whom they prove but a ſcanty Supply for One Day's Expence, than as Stores for the general Subſiſtance of an Army. It is evident then, that whenever I may march, I muſt carry every Article of Proviſion for the Uſe of the Troops from hence; and as I could not, either in Prudence, or from a Knowledge of the Length of Time to which my Operations may be extended, limit myſelf on that Score, the Quantity (for which, ſuppoſing I either had or could procure ſufficient Carriage, of which there is not now enough to convey Six Days Proviſions) would be ſo conſiderable, that, againſt the very large Bodies of Horſe which would harraſs me on all Sides, my little Army would ſcarcely prove an adequate Guard. Had I but Four thouſand Cavalry to aſſiſt in this neceſſary Part of Duty, I ſhould apprehend nothing. As it is, until I am ſufficiently prepared to act offenſively, all I can promiſe myſelf is, that I ſhall moſt certainly engage the Enemies *, ſhould he move this Way. I am at preſent taking Means to procure a Body of Cavalry, in which, ſhould I ſucceed, I ſhall eſteem myſelf fortunate, notwithſtanding the heavy additional Expence which it may ſubject the Company to. Favoured by the Seaſon, I am now preparing to ſend off, under a ſtrong Eſcort, a ſmall Supply of Proviſions for the Garriſon of Chingleput.

* Sic in Orig.

"" Having ſtated to you pretty fully my own Situation, I ſhall now give you ſome Account of Hyder's: He has taken up his Reſidence in Arcot, where he is now employed in completing his Artillery Park, and putting the Place in the beſt State of Defence poſſible. The Palygurs of the Countries he has poſſeſſed himſelf of, as well as the Officers of the Nabob, who were there for the Buſineſs of the Collections, are all attending at his Durbar; and he has uniformly confirmed them in their reſpective Employments. He has ſent ſtrong Detachments from his Army to occupy every Station of any Kind of Conſequence betwixt us and him; and which he has alſo fortified. He has likewiſe ſent conſiderable Bodies to cut off our Communication with, and to prevent Supplies from going into thoſe Forts in which we have ſtill Garriſons, and which, I am ſorry to ſay, are very ill prepared for Reſiſtance; for, excluſive of their having but a ſmall Stock of Proviſions, they are ſcandalouſly deficient in the Military Stores neceſſary for their Defence. In ſome, there are Guns, underſtood to be for that Purpoſe, but without Carriages to mount them. Whilſt in making theſe Obſervations, I reflect Blame on this Government, I muſt, in Juſtice to the Perſon at the Head of the Military ſay, that upon reading his Reports and Repreſentations, I find that he has not been wanting in Attention to what was his proper Sphere.

"" Intelligence has lately arrived from Pondicherry, which informs us of the People there having raiſed two new Corps, which they call Hyders; and from which, at this preſent Time, Parties are ſtationed on the High Roads, who collect Duties on Grain, and all other Neceſſaries of Life going in to Cuddalore. Whilſt they are thus employed by Land, they are not inactive alſo by Sea, on which they have got a Number of armed Boats, which take and plunder the ſmall Craft which go along the Coaſts, to and from this Place to the Southward, with Merchandiſe and Proviſions; and ſo injurious have their Operations of late proved to the trading Part of the Community, that at the earneſt Solicitation of the Gentlemen of the Council, and being myſelf ſatisfied of its public Utility, I have taken upon me to detain the Farmer Schooner, Captain Sherman, which is to be properly armed, and to go up and down the Coaſt, and deſtroy all Boats which he may find either employed, or which he may ſuſpect to be engaged as mentioned above.

"" I have alſo, at the particular requeſt of the Council, agreed to detain the Intelligence Schooner, Captain Murray, who is gone to the Streights of Malacca, to give Information to our China Ships, of the French Cruizers that have appeared on the Coaſt, that they may be on their Guard, and to bring us back any Intelligence he may get relative to the French Ships. This Step, beſides its being of Importance to the real Intereſts of the Company, was judged abſolutely neceſſary, as ſome Accounts which have been received in the Settlement inform of more Frigates than

than thoſe which have appeared on the Malabar Coaſt, being fitted out from the Mauritius, and which there is therefore Reaſon to ſuſpect may be gone to the Streights.

" Judging it alſo a Matter of the utmoſt Conſequence, that our Bombay Adminiſtration, the Admiral, and Brigadier General Goddard, ſhould be made particularly acquainted with the Situation of Affairs here, and conſidering the little Safety there now is in ſending Letters by Land, and likewiſe the Impropriety there would be in truſting Matters of ſuch Importance entirely to ſo precarious and dangerous a Channel of Conveyance, I have ſent round the India Schooner, Captain Jones, with my ſeveral Diſpatches to them, and deſired ſhe may be returned here as ſoon as poſſible. On the Subject of theſe Diſpatches, it is only neceſſary I ſhould inform you, that I have, in general Terms, recommended to them, to unite in diſtreſſing the Poſſeſſions of Hyder, in any Way that may be in their Power.

" I hope all theſe Tranſactions will meet your Approbation. I cannot however help expreſſing my Regret at depriving you, even for a Time, of the Uſe of Veſſels which are of ſuch real Service, and ſo much wanted, as Piloters in the Bengal River. I truſt however, as the preſent Seaſon was unfavourable for their Return, and as they would not in all Probability have completed their Voyage back in leſs than ſix Weeks, perhaps two Months, that in the End, as they will leave this Coaſt at a Time when they may go in a few Days, it will make no great Difference.

" We are further informed of many new Buildings erecting at Pondicherry; of its encreaſing daily in the Number of its Inhabitants; and of many People having reſorted to it from under our own Protection as a Place of Security; in ſhort that it bids fair to be ſoon a very flouriſhing City: very large Quantities of Grain, which Hyder collects from the Country around, are now laying up at Karringuley, which Place we very impoliticly neither defended nor deſtroyed, and which, from its Vicinity to Pondicherry, and the little Probability that Hyder ſhould think of it as a Granary for his own Uſe, I have a ſtrong Suſpicion, that it muſt be intended for the French on their Arrival, which Event he daily expects.

" For your better Information on the State of the Proviſions in the Garriſon of Fort St. George, I encloſe you Copy of an Eſtimate which I deſired might be formed for the proper Complement of Men, &c. and for ſix Months, which, every Thing conſidered, cannot be deemed too long a Time to be previouſly provided.

" I likewiſe encloſe you an abſtract Eſtimate of the Military Expences of this Eſtabliſhment for one Month, agreeable to which I muſt depend upon you for my future Supplies; I have to this Eſtimate annexed a Memorandum of the Monthly Expence of the Civil Eſtabliſhments, for your Information, in caſe you ſhould ſee it convenient at any Time to aſſiſt the Wants of that Department.

" I muſt now conclude this Letter with informing you, of my having had ſeveral Conferences with the Nabob Malla Jah, but which I am ſorry to ſay have afforded me no Hopes of any Aſſiſtance from him; on the contrary he pleads Inability in every Way, and looks entirely to the Company for the Support both of his Cauſe and his Credit: His Influence in the Country ſeems to be completely overturned, nor can I find that he has a ſingle Adherent, or even Friend left in it; I confeſs I am ſomewhat aſtoniſhed at ſo very rapid a Revolution in his Affairs, and cannot help ſuſpecting that his ſecond Son the Aumeer has contributed to haſten his preſent Diſtreſſes; but what ſurpriſes me moſt is, that I have not yet been able to procure, through his Means, any good Information regarding either the Strength or Movements of the Enemy. *(a)*

" I have the Honour, &c.
(Signed) " Eyre Coote.

" Head Quarters, Choultry Plain,
the 19th of November 1780.

(Signed at the End of the Conſultation)
"" Edwd Wheler."

To ſhew further the Situation of the Army on the Coaſt, their extreme Diſtreſs for Want of Proviſions, and their Applications to Bengal for Aſſiſtance,

Read, from Book 567, already delivered in, the following Extract of a Conſultation, dated the 25th January 1781, beginning at Page 280 of the ſame Book:

" Fort William, 25th January 1781.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
and
Edward Wheler, Eſquire.

Secret Dep. Thurſday.

Lieutenant General Sir Eyre Coote, K. B. abſent on Command at the Preſidency of Fort St. George.

" Head Quarters, St. Thomas's Mount;
" Gentlemen, the 20th December 1780.

" My former Letters acquaint you of the Scarcity of Proviſions;—our Diſtreſſes on that Score have increaſed daily. It is now Fifteen Days ſince the Europeans of my Army have had a freſh

(a) Vide Appendix, N° CCXLI.

Meal Day, that is, ſince the Day I marched from Cantonments there has not been any one Day enough of Rice for the Sepoys; indeed, for the firſt Thirty Hours, there was not a Grain in the Bazar: I have therefore been under the Neceſſity of having Reſource to the Garriſon Store. This, I confeſs, I do with Reluctance. As yet no Supplies have come from the North, nor any more from your Quarter ſince my Arrival. There is not, at preſent, a Maund of Grain to be purchaſed in the Settlement, ſo that our Cavalry Draught, and Carriage Bullocks are now fed on what little Paddy can be got; the Draft and Carriage Bullocks are ſtill very deficient, and even in the ſhort March from Chorilly Plain to the Mount, gave too ſtriking a Proof of their Inability to go through a Campaign, by the Difficulty with which they drew our Artillery. Experiencing theſe Difficulties, I may ſay at our own Doors, I leave it to yourſelves to judge what might be our Situation, were I immediately to proceed to a greater Diſtance. It would be an Act of raſh Imprudence, which I could not, were the Army much more formidable than in Fact it is, reconcile to my Regard for the real Intereſts of the Company and the Britiſh Nation, on this Coaſt.

" The Enemy's Cavalry are in detached Parties all around us, and daily make their Appearance in one Quarter or another. No longer ago than Yeſterday, they were ſo daring as to come within Reach of the Cannon on the Wall of the Black Town, plundered the Waſhermen of all the Linen they were waſhing, and cut off the ſmall Supply of Fowls and Vegetables, which uſed to come a few Miles to the North, for the Uſe of the Inhabitants of Fort St. George. This Event ſuffices, that were I to move on, the Garriſon would, on the Land Side, be as completely blockaded as if really regularly beſieged, and, of Courſe, the Inhabitants would be ſubject to the ſame Diſtreſſes. Indeed it may be ſaid, as nothing now comes in from the Country, they already ſuffer them, and that my remaining is of no Service: But until I am in a Condition to move, the Army to act, it would be impolitic, by going a few Miles further on, to deſtroy the Influence which it now has in obviating the Idea of a Siege, which might produce Effects prejudicial to our Intereſts over all Indoſtan *.—In ſhort, before I take a Step in a Matter of ſuch great Importance, and on which ſo much depends, I wiſh to hear of the March of the Bengal Detachment, and of the probable Reſult of our Peace Negociation with the Marattas.

* Sic in Orig.

" The Intelligence which I have been able to obtain here on the latter Subject, by no Means promiſes a ſpeedy Accommodation. Nanna Furneſſe is averſe to leaving Hyder Ally in the Lurch. Hyder, on his Part, ſenſible of the Ruin that would fall upon him were a Peace to take place between us and the Marattas, is exerting himſelf by every poſſible Means to keep them firm to their Engagements; and, in order to attach them further to his Intereſt, he has lately determined on ſending the Poona Government a conſiderable Sum of Money. I am told, he many Months ago preſented the Miniſter, Nanna Furnneſe, with Four Lacks of Rupees, and to which is aſcribed the Attention that Chief now ſhews to Hyder's Cauſe. I have yet received no Advice of General Goddard's Operations againſt Baſſien, nor any Intelligence of the Arrival of Sir Edward Hughes on the other Coaſt, both of which Points I am extremely anxious to be informed of, as well as of the ſafe Arrival of the Letter I wrote them from here.

" Hyder Ally, continues at Arcot while his Affairs carry on their Operations in ſome Degree.

" Colonel Lang writes me from Vellore, that he has drawn off Two thouſand of his beſt Troops, and all the Artillery that he had ſent for the Siege of that Garriſon, ſo that I have not now the leaſt Apprehenſion for its Safety; indeed, in Juſtice to the good Conduct and military Abilities which Colonel Lang has evinced, by the Manner he has provided for the Security of that Garriſon, I had originally little to fear; in that Quarter there were two Sallies made from the Garriſon, both of which were attended with Succeſs, between forty and fifty Cavalry of the Enemy having been killed in the firſt, and between eighty and ninety in the laſt, on which Occaſion we had ſixteen Sepoys killed and wounded; a Mahratta Chief, one of Hyder's Commanders of Horſe, is ſaid to have been killed by a Cannon ſhot from the Fort. The Officer in command of the Garriſon of Amboor, writes, that he will defend it againſt the whole of Hyder's Force, now that the Nabob's People have deſerted him. Wanderwaſh is beſieged, the Pettah has already been plundered, and I muſt own I am ſomething alarmed for its Safety, as the Sepoys belonging to the Nabob, which were ſtationed there for its Defence, have moſtly deſerted, ſo that it is poſſible that at the Time I am now writing, there may not be more than the Officer and the two Companies of our own Sepoys to reſiſt the Enemy's Attack. The Pettah of Chingleput has been aſſaulted, but the Enemy were repulſed with ſome Loſs: Permacoil is beſieged, and I fear will fall, as the Nabob's Sepoys have deſerted it to a Man, and there only remains in it an Officer, with a few of our own: I cannot deſcribe to you the Concern which all theſe Circumſtances give me, and which my own Situation ſerves greatly to aggravate: I endeavour to keep up my Spirits, and hope for the beſt.

" Report ſays, Hyder's Army comes this Way: I truſt he will, as I wiſh for nothing more ardently than to engage him, as I think even ſmall as our Number be, they will ſoon convince him of his Error, in attempting a Battle upon the Ground that I choſe. I have the Pleaſure to acquaint you that I have received Information, and which we deem authentic, that Dowet Row, the Nephew of the late Mirra Row, in conjunction with one Purſaram, have regained Poſſeſſion of the important Fort of Gooty, by a treacherous Negociation with Hyder Ally's Killardar, who was in charge of it; the Nairs on the Coaſt of Malabar, near to Tellicherry, it is alſo ſaid have roſe in Arms, and have invaded his Dominions on that Side: I ſincerely wiſh it may be the Caſe, as in all uſurped Governments rebellious Operations want a favorable Beginning to become general, and conſequently ſo mi-

dable. I ſhall be heartily glad they prove true on another Account, as it will oblige Hyder either to ſeek for a Battle, or elſe ſend off ſo large a Part of his Army, for the Protection of his own Country, as will render it more eaſy and honorary for me to drive him from the Carnatic.

" I had written thus far, when two Hircarrahs arrived with the diſagreeable News of the important Fort of Gingee being in the Poſſeſſion of the Enemy; they ſay that it fell by the Treachery of two Soubadars belonging to the Nabob's Sepoys, who opened the Gates and let the Enemy in; the Officer who was there with one Company of our Sepoys, the Hircarrahs ſay, retired to one of the higheſt Rocks, where he remained for two or three Days, and at laſt ſurrendered at Diſcretion. I cannot avoid, on this Occaſion, making public Mention of my having, on my firſt Interview with the Nabob, warned him of the Loſs of Coringee, and to take Care that his People did not betray him there as they had in other Places; that its natural Strength was ſuch, if defended, that it was not in the Power of all Hyder's Army to take it; that if it had fell, I ſhould conſider him as no longer Nabob of the Carnatic. My Motive for this Declaration was obvious, it was to rouſe in him ſome Spirit of Exertion for the Support of his own preſent and future Intereſt; but I am ſorry to ſay all my Exhortations have proved fruitleſs, and ſo little does he ſeem to be concerned on the Occaſion, or to conſider the perſonal Preſence of one of his Family neceſſary, notwithſtanding I have requeſted it of him as a Thing for his Credit, that not one of them has been near me ſince I marched the Army hither.

" This ſerves as a further Confirmation of what I have written in my former Letter, regarding his total Indifference to his own Intereſt; at the ſame Time it muſt convince you, that every Thing reſts upon our own Exertions, and in which the exceſſive Quantity I am obliged to take is far more conſiderable than ought to fall to the Lot of my Nation.

" I muſt embrace this Opportunity of reminding you, that a Supply of Money will very ſoon be wanted, and that it is the Sheet Anchor of our Exiſtence, and on which every Thing will depend. Should the French arrive, and whom, by the laſt Accounts we have from the Cape, we may expect daily, I truſt you will not diſappoint me. *(a)*

" I have the Honour to be,

(Signed)

" Eyre Coote.

(Signed at the End of the Conſultation)

" Edw[d] Wheler."

The Counſel for the Defendant ſtated, they ſhould next read an Extract of a Letter from the Board, to the Preſident and Council at Bombay, entered on a Conſultation of the 9th January 1781, to prove that, notwithſtanding all the Difficulties under which they laboured, they ſupplied that Preſidency with Five Lacks of Rupees at the Time above-mentioned.

Read, the following Extract of a Conſultation of the 9th January 1781, beginning at Page 31 of the ſame Book.

" Fort William, 9th January 1781.

" At a Council; Preſent,

Secret Dep[t] Tueſday.

The Honble. Warren Haſtings, Governor General, Preſident;
Edward Wheler Eſquire.
Lieutenant General Sir Eyre Coote abſent on Command at the Preſidency of Fort St. George.

" We have ſent to your Preſidency, * on the Ship Duke of Portland, the Sum of 5 Lacks of Rupees, which we hope will prove to you a reaſonable Supply; and we authorize you to draw on us for ſuch further Sums as you may want, at a reaſonable Rate of Exchange; but the Exchange of Bills procured here, payable at your Preſidency, is ſo extravagantly high, and the Riſque of Conveyance of Treaſury to the other Side of India ſo great, that we cannot promiſe you Supplies in any other Manner. *(b)*

* Sic in Orig[l]

" Fort William, 7th January 1781.

(Signed at the End of the Conſultation)

" Edw[d] Wheler."

To ſhew the Senſe that Sir Eyre Coote, and the Inhabitants on the Coaſt, entertained of the Aſſiſtance afforded them by the Government of Bengal,

Read, the following Extract of a Conſultation of the 23d February 1781, beginning at Page 547 of the ſame Book.

(*a*) Vide Appendix, N° CCXLII.

(*b*) Vide Appendix, N° CCXLIII.

" Fort

" Fort William, 23d February 1781.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
and
Edward Wheler, Eſquire.
Lieutenant General Sir Eyre Coote, K. B. abſent on Command at the Preſidency of Fort St. George.

" Head Quarters, Great Mount,
the 7th January 1781.

" I am made happy by receiving your further Aſſurances of regular and full Supplies of Treaſure, as upon that entirely depends the Support of the little Army I have here, and of Courſe the Safety of what yet remains to us on this Coaſt. An Eſtimate of the Monthly Expence was tranſmitted to you in my Letter of the 19th November, which you have acknowledged the Receipt of, and agreeable to which I ſhall rely on receiving your timely Aſſiſtance; as after what I have already expended on Military Services, and diſcharging the unavoidable Demands of that Eſtabliſhment of this Month, I ſhall have but a very ſmall Part of the Treaſure I brought with me remaining. (*a*)

(Signed at the End of the Letter)
" Eyre Coote."
(And at the End of the Conſultation)
" Edward Wheler."

Read, a further Extract from the ſame Conſultation, beginning at Page 549 of the ſame Book.

' Head Quarters, Great Mount,
the 7th January, 1781.

" Your ready Attention in ſending Proviſions and Grain makes every Inhabitant living under the Protection of this Preſidency your Debtor, as without ſuch ſeaſonable Supplies they would ſoon have been reduced to the utmoſt Diſtreſs, as the Aſſiſtance received from other Quarters is but very ſcanty indeed. (*b*)

(Signed at the End of the Letter)
" Eyre Coote.
(And at the End of the Conſultation)
" Edward Wheler."

To ſhew further the Diſtreſſes of the Preſidency of Bombay at the above Period, and their Reliance upon the Government of Bengal for Support,

Read, from Book 513, already delivered in, the following Extent of a Conſultation of the 27th April 1781, beginning at Page 1094 of the ſame Book:

" Fort William, 27th April 1781.

" At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
and Edward Wheler, Eſquire.
Lieutenant General Sir Eyre Coote, K. B. abſent on Command at the Preſidency of Fort Saint George.

" We have experienced, and ſtill continue to feel, the moſt ſevere Diſtreſs for Money, and are much diſappointed at neither receiving Supplies or Anſwer to our Letter of the 17th Auguſt. Every Department is largely in Arrears, and it is with the utmoſt Difficulty that we can provide for thoſe Occaſions which indiſpenſably require ready Money. General Goddard has repeatedly preſſed us on the Subject of his Wants; but it is totally out of our Power to afford him any further Aſſiſtance, than allotting the Receipts from the new Acquiſitions dependant on Serrat, for the Service of the Army. Theſe Diſtricts, as well as our other Poſſeſſions in Guzerat, have hitherto fortunately remained undiſturbed by the Enemy, or our Diſtreſſes muſt have been altogether unſupportable; this Reſource, however, will be ſoon exhauſted for the preſent Seaſon, and we muſt earneſtly intreat that you will make us timely Remittances for our Support, at that Time of the Year when we can receive Relief from no other Quarter.

(Signed at the End of the Letter)
" Wm Hornby,
D. Draper,
N. Stackhouſe."
(And at the End of the Conſultation)
" Edwd Wheler."

Bombay Caſtle,
Feb. 15, 1781.

(*a*) Vide Appendix, N° CCXLIV.

(*b*) Vide ſupra Appendix, ibid.

To prove the Depredations of Hyder Ally, that he deſtroyed all the Supplies from the Coaſt, and to ſhew the Applications made by the Preſidency of Madras for a Supply of Rice from the Government of Bengal,

Read, the following Letter from Mr. Smith to the Governor General, dated the 5th March 1781, already delivered in.

" Dear Sir,

" As a Detachment of Hyder's Army has burnt and deſtroyed great Quantities of Grain in the Tanjore Country, and along the Sea Coaſt from Porto Novo to Nagapatam, I am under great Apprehenſions that we ſhall be diſtreſſed in this Place; and therefore muſt requeſt your kind Attention to theſe particular Circumſtances:—I hope you will be able to make another Contract for 50 or 60,000 Bags of Rice, or, if this be impracticable, order ſuch Encouragement and Aſſiſtance to be given to the Exportation of Grain, that many Merchants will equip Veſſels for this Port in the Courſe of the enſuing Month. The encloſed Copies of Letters from the Southward will evince the Urgency of the Caſe, and therefore it is unneceſſary for me to ſay more on the Subject.

" The laſt Letter I received from Sir Eyre Coote, was dated the 22d ultimo: He was then encamped at Newtown Cuddalore, and as the Enemy was in Force very near him, we are in hourly Expectation of hearing ſome important News... When I conſider that he has not more than 6,000 effective Men, and the Enemy at leaſt Ten Times the Number, I tremble for the Event; yet there is a Conſolation in knowing that his little Army is full of Confidence and Ardour, and the Enemy has repeatedly declined an Engagement.

" The low State of our Treaſury is a Source of continual Uneaſineſs to me; and I look around in vain for a Proſpect of Supplies except from Calcutta.—Accepted Bills due and unpaid.—The Civil Servant Six Months in Arrears, and every Department diſtreſſed for Want of a Supply to diſcharge the Demands on them.—Neither the Company or Individuals able to raiſe Money on any Terms.

" Thus ſituated, all Comments are unneceſſary, as I have not a Doubt but you will do every Thing in your Power to aid us.

" I have the Honour to be, with Eſteem,

" Madras,
5th March 1781.

Dear Sir,
Your faithful humble Servant,
(Signed) " Charles Smith."

" The Honble. Warren Haſtings, Eſquire.

" P. S. There are Letters from Sir Thomas Rumbold at the Cape of Good Hope, dated the 29th September:—The Squadron had been ſickly and obliged to put into Madagaſcar, where they ſtaid Six Weeks, and were joined by Five Ships from China. At the Cape they found the Ceres, and were to leave that Place the 2d October for St. Helena, where they would in all Probability meet the Prothea and Hanibal Men of War, with the Hawk and Princeſs Royal, and from thence ſail for England; Five Ships of the Line and Twelve Indiamen, where they expected to arrive by the Middle of January."

To prove that, for Want of Supplies, Sir Eyre Coote was obliged to retire before Hyder Ally; to ſhew the great Danger of the Army and Preſidency of Madras at that Period; and their Applications for a Supply of Rice at all Riſques, and upon any Terms;

Read, the following Letter from Mr. Smith to the Governor General, dated the 22d March 1781, already delivered in.

" Dear Sir,

" I had the Honour of writing to you on the 5th Inſtant—Triplicate Copy of which now goes herewith.

" I am inexpreſſibly concerned to hear the News contained in the accompanying Copies of Letters, received this Day from Mr. Morley, our Reſident at Anjengo; it is a Blow which will be ſeverely felt in India, but eſpecially on this Coaſt, where we are moſt diſtreſſed.

" By a Letter received this Day from Mr. Dent, Chief of Cuddalore, dated 18th Inſtant, I have Advice that Mr. Hudleſton, our Reſident at Nagore, has been obliged to abandon that Factory, and bring to Cuddalore the other Gentlemen, with Three Companies of Seapoys and ſuch Stores, &c. as he could moſt conveniently put on Board, he ſpiked Two 12 Pounders, but had not Time to bring off about 60 Barrels of Gunpowder, as Lally, with 8000 Horſe, was very near his ſmall Redoubt: All the Country is laid waſte from Porto Novo to Nagore, and the Grain deſtroyed; the Enemy has entered the Tanjore Country, and is alſo deſtroying there all the Grain they can find.

" By the laſt Advices from Camp, dated the 17th, General Coote was ſtill with his Army at Newtown near Cuddalore. I diſpatched to him laſt Night the Groſvenor Indiaman, with above 500 Bags of Grain and other Neceſſaries; the Succeſs Galley, and Snow Amazon, have been under his Orders for ſometime paſt, and rendered him many eſſential Services.

" As I have fully ſtated our great Diſtreſſes in my laſt, I have only now to requeſt your moſt ſerious Attention to the foregoing Circumſtances, as additional Reaſons, for every Exertion being made at Calcutta, for ſending us Rice from thence, at all Hazards and at any Expence. I place very great Dependance on your iſſuing the ſtricteſt Orders for this Purpoſe, and not ſuffering any Repreſentations about Weather or Seaſons to operate againſt the unexaggerated Neceſſity of the Caſe; as it is evident, we have not now the leaſt Proſpect of the uſual Southern Supplies; nay, are obliged to expend our Garriſon Stores in ſupplying the Army ſtationed in that very Quarter: 100,000 Bags of Rice ſeem an immenſe Quantity; but when the daily Conſumption, even of this Fort and the Black Town, is eſtimated, it will be found not much above Two Months Proviſion; yet we have now an Army to feed, and a great Addition to it approaching;—To increaſe our Diſtreſſes, the Natives to the Northward have been ſo alarmed by Reports of French Privateers being off Point Gardewar, that no Force or Perſuaſions can make them venture to Sea; they have unloaded many Veſſels ready to ſail.

" I have already acquainted you that I am in the greateſt Diſtreſs for Money, and cannot ſee the ſmalleſt Proſpect of any Supply from Nabob Rajah of Tanjore, or any other Quarter, except from you. The Army is now a Month in Arrears; the Garriſon in ſame Condition; and the Civil Servants in the utmoſt Diſtreſs, not having had a Pagoda for theſe Seven Months paſt: In ſhort, every Department is labouring under Difficulties, and I can afford no Aſſiſtance, not having Ten thouſand Pagodas in the Treaſury, nor can I deviſe any Mode of repleniſhing it.

" Permit me therefore, dear Sir, to moſt eaneſtly requeſt you will raiſe a conſiderable Sum, on any Terms, to be remitted to us ſpeedily, as all is at Stake, and muſt be loſt, if the moſt ſpirited Exertions are not inſtantly made—Words cannot convey an Idea of what I feel at this Moment—but I muſt have done, and will only add, that I am, with much eſteem,

" Dear Sir,
Your faithful humble Servant,
" Charles Smith."

" Fort St. George,
22d March 1781.

" P. S. The Diligent Snow arrived here this Day, from Mallacca; her Commander ſays, he learned from a Macco Man that the 2d Diviſion of our China Ships ſailed the latter End of January, conſiſting of Seven Sail, but has heard nothing further about them at Mallacca; he ſuppoſes they have got ſafe through ſome of the other Streights, there being no Advices of Cruizers in thoſe Parts.

" I intend to diſpatch the Diligent to aſſiſt Sir Eyre Coote in his Operations, ſo ſoon as ſhe can be got ready, which will be in a few Days.

" Charles Smith."

" The Honble. Warren Haſtings, Eſquire.

The Counſel for the Defendant deſired the Incloſure in the above Letter might be read.

The Managers for the Commons objected to the ſame being read;

And the Counſel for the Defendant being heard in Anſwer,

The Managers for the Commons waived their Objection.

The Incloſure was then read as follows:

" Mr. Morley preſents his moſt reſpectful Compliments to the Honble. Governor Smith, and begs Leave to communicate to him this diſagreeable Intelligence, brought by Capt. Foreſt, of the Five undermentioned Eaſt Indiamen, with 52 Weſt Indiamen, having been captured near Madeira, in Auguſt laſt, by a Fleet of Spaniſh and French Men of War, which carried them into Cadiz;—Godfrey—Royal George—Hillſborough—Glatton—and Mountſtuart."

" 2d March 1781.

To ſhew, That at the above Period a Famine took Place at Cuddalore, near Fort St. George, which obliged that Settlement to apply to Bengal for Relief,

Read, the following Letter from Mr. Smith, to the Governor General, dated March 26th, 1781, already delivered in.

" Dear Sir,

" As I cannot ſuppreſs my Anxiety, which is inexpreſſible, I trouble you with many Duplicates and Triplicates of my Letters, for Fear of Miſcarriage.

" Since

" Since my laſt, the Board here have received a Letter from the Chief and Council of Cuddalore, repreſenting, that the Inhabitants there are in a moſt deplorable Condition for Want of Rice, and moſt earneſtly requeſting a ſpeedy Supply from hence, as all Communication with the Southward beyond that Place, is entirely cut off. I underſtand the Monthly Conſumption of that Settlement to be about Eight Thouſand Bags of Rice, excluſive of what muſt be now carried out into the Country whilſt the Enemy is around them. A Famine has actually commenced there, and I fear all my Exertions cannot prevent its Increaſe.

" I ſhall be very unhappy until I hear from you. I am beſet from Morning until Night with importunate Suitors for Money. Could I but once tell them it was certainly coming, I might procure ſome Reſpite.

" I am, with Eſteem,
Dear Sir,
Your faithful humble Servant,
" Charles Smith."

" Madras, 26th March, 1781.

" The Honble. Warren Haſtings, Eſq.

To ſhew the Continuance of the above Diſtreſs,

Read, from Book 513, already delivered in, the following Extract of a Conſultation of the 27th April, 1781, beginning at Page 1015 of the ſame Book.

" Fort William, 27th April 1781.

Secret Dept. Friday.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident;
and
Edward Wheeler, Eſq.
Lieutenant General Sir Eyre Coote, K. B. abſent on Command at the Preſidency of Fort St. George.

" Our Diſtreſs for Money has laid us under the Neceſſity of ſending this Veſſel to Mazulipatam, to bring as much as can be ſpared, reſerving ſome for the Uſe of Colonel Pearſe's Detachment; and that ſhe may not be in Danger from French Privateers, of which we have had Reports, though no Certainty, ſhe proceeds under the Convoy of the Indiamen, who are directed to remain at Maſulipatam until ſhe ſails for the Preſidency with the Treaſure. So ſoon as ſhe has performed this Service, it is our Intention to diſpatch her to you.

" The Court of Directors have, in their Letters to us by this Veſſel, written fully on the Subject of the Armament coming from England, and the Purpoſes for which it is deſigned. We ſincerely hope, that ſuch an Alteration in the Circumſtances of our Affairs may take Place, as will enable the ſeveral Preſidencies to join effectually in the Execution of the Plan which has been recommended. In the mean Time, we can only obſerve, that we are heartily diſpoſed to co-operate with you, upon whom this Buſineſs muſt principally reſt, to the utmoſt of our Power. But we are extremely apprehenſive, that nothing can be done, at leaſt on our Part, until the Peace of the Carnatic be reſtored; and this being an Event which depends ſo entirely upon a ſpeedy Accommodation with the Marattas, we cannot but expreſs our moſt fervent Hope, that your Endeavours to that End will be ſucceſsful.

" Our Army has been for ſome Time at Cuddalore; and we cannot explain the Reaſons which have induced the General to remain there, better than by encloſing you, Extracts from his Letters on this Subject. The Country has been ſo completely overrun and laid Waſte by the Enemy's Cavalry, that we do not wonder at the Difficulties which prevent the Movement of the Army. We have uſed every Means in our Power to obviate them; but we fear that nothing will prove effectual, until our Affairs can enable us to create a powerful Diverſion of the Enemy's Force.

" Our Diſtreſs for Want of Money is become truly alarming, and we earneſtly entreat your Honour, &c. will take Meaſures for ſupplying us without Loſs of Time. The Army is in Arrears for the laſt Month, and our Troops in this Garriſon are in the ſame State. The Money received from you, except a ſmall Balance remaining with General Coote, has been all applied to the Diſburſements of the Army, and we have added, for the ſame Purpoſe, whatever Money of our own we could ſcrape together, in ſo much that every other Department is at a Stand, and the Civil Servants have received nothing for theſe laſt Seven Months. Under theſe Circumſtances we have been abſolutely compelled to draw a Part of the Money which is in Treaſury at Maſulipatam, for the immediate Support of the Army, notwithſtanding the Reſolution we had formed of continuing it there for the Diſburſements of Colonel Pearce's Detachment. Agreeably to the Deſire you had ſignified to us, we have ſtill given Orders that no more be ſent us than may be ſufficient to ſupply our moſt preſſing Wants, and we hope, before Colonel's Pearſe's Detachment arrives there, the Gentlemen will have the Means of ſupplying its immediate Neceſſities.

" There is every Appearance that we ſhall be in the greateſt Diſtreſs for Grain, as all the uſual Supplies from the Southward are cut off, and inſtead of receiving from thence, we are obliged to

ſupply

ſupply the Army, and alſo the Settlement of Cuddalore, where a Famine has actually commenced. At a moderate Computation, above 15,000 Bags per Menſem are conſumed by the Army and Inhabitants of Cuddalore, and 60,000 at the Settlement; therefore we ought to have full 4,50,000 Bags of Grain for a Supply until September. But, we are ſorry to ſay, that the Quantity now in Store, including both the Company's Rice, and all that is in the Poſſeſſion of Individuals, do not exceed 1,25,000 Bags, according to the beſt Information we can procure; and we cannot expect, at this late Seaſon, above 40,000 more, however fortunate the Veſſels may be in arriving here.—This unexaggerated State of our Situation, needs no Comment; but will evince the Neceſſity there is for our receiving ſpeedy Supplies from you, and, therefore, we hope that no Conſideration whatever will induce you to permit the Neptune, Bellmont, Rochford, and Dartmouth being employed on any other Service than in bringing Money and Grain to this Settlement. We muſt earneſtly requeſt they may be diſpatched without Delay. Captains Thomſon and Tod have promiſed, in a public Letter to the Select Committee, to perform their Part, if they have your Permiſſion; and we have no Doubt but Captains Scott and Gamage will ſhew an equal Zeal for this moſt important Service.

" We fear, that the Want of the 400 Caſks of Salt Proviſions, you contracted for to be delivered here in this Month, will be ſeverely felt by the Army and this Garriſon, as we have only 100 Caſks now in Store.

" Altho' we have already, in this and our former Letters, ſo fully and urgently repreſented our Diſtreſs for Money, we muſt again renew the Subject by declaring, that we cannot deviſe the Means of paying our Military Eſtabliſhment alone for Two Months longer, even when the Balance remaining with General Sir Eyre Coote is incloſed in the Account, and every probable Receipt from the Northward and Southward. His Highneſs the Nabob is either totally incapable of affording us the leaſt Aid, or elſe remains inſenſible to the ſtrong and numerous Repreſentations we have made to him of our critical Situation. We have endeavoured, in vain, to alarm him for his own Situation; if he be incapable of rendering any Aſſiſtance, which we fear is the Caſe (except the Nellore Diſtricts, which he has obſtinately refuſed to deliver up to us, as before repreſented to you) further Remonſtrances are vain; but if he really poſſeſſes Reſources, we know not of any Means in our Power uneſſayed for obliging him to uſe them.

" We have no Advices yet of what our Deputies have done at Tanjore, or the Receivers at Trichinapoly and Tinivelly; but we have little Hopes that the former will be able to procure any conſiderable Sum, as the Enemy has laid waſte a great Part of the Tanjore Country, or that the latter can receive more than will pay the Troops at Trichinapoly and Tinivelly.

" The Court of Directors have been pleaſed to appoint Mr. Stephen Sulivan Preſident and Paymaſter at Tanjore; we encloſe an Extract of ſuch Part of their Letter as relates to this Appointment, which we requeſt you will communicate to Mr. Sulivan, and deſire him to repair hither to take Charge of his Employ.

" The Invalids which came here on the Duke of Portland and Shaw Allum, are now returned to you on the Dartmouth and Rochford; and on theſe Ships the Cadets for your Eſtabliſhment alſo embark, agreeable to the Liſts encloſed. Theſe Gentlemen, during their Stay here, have been formed into a Company under an experienced Officer.

" The Intelligence Snow returned from the Streights of Malacca a few Days ſince; her Commander informs us, he learnt from the Captain of a Macao Ship, that the Second Diviſion of Company's Ships, conſiſting of Seven Sail, were diſpatched from China the End of January, and as he heard nothing further of them, he concludes they had paſſed in Safety thro' ſome of the Streights, there being no Report of French Cruizers in theſe Seas. We have armed this Snow for War, and diſpatched her to Cuddalore, Sir Eyre Coote being greatly in want of ſuch a Veſſel to cruize againſt the Enemy's armed Boats.

" We learn by private Letters from the Cape, dated the End of September, that the Company's Ships, that ſailed hence with the Men of War the Beginning of April, had put into Madagaſcar, where they were joined by Five Ships from China, and that they found the Ceres at the Cape, from whence they were to ſail the 2d October.

" We are,

Honourable Sir, and Sirs, &c.

" Fort St. George,
1ſt April 1781.

(Signed) " Charles Smith,

(Signed) " Sam[l] Johnſon.

(Signed at the End of the Conſultation)
" Edw[d] Wheler."

Read, the following Extract of a Conſultation of the 14th June 1781, beginning at Page 1711, of the ſame Book:

" Fort William, 14th June 1781.

" At a Council; Preſent,
The Honble. Warren Haſtings, Eſquire, Governor General, Preſident,
and
Edward Wheeler, Eſquire.

Lieutenant General Sir Eyre Coote, K. B. abſent on Command at the Preſidency of Fort St. George.

" I am informed from Fort St. George, by the Select Committee, that they have written to you ſeveral Letters acquainting you with our immediate Want of Money, and of the great Diſtreſs we are likely ſoon to be in for Proviſions; the Carnatic has yet afforded us no Aſſiſtance on that Score, nor does any come from the Southern Countries; ſo completely has Hyder, with his Immenſity of Cavalry, poſſeſſed himſelf of the Country, that it is with Difficulty the Garriſons ſtill in our Poſſeſſion, although the Numbers they contain are very ſmall, find Subſiſtance; and wherever the Army goes, the Enemy's Horſe precede its March, plunder the Inhabitants of the little which may have been left them, burn their Villages, and lay waſte the Country all around, ſo as hardly to leave a Straw to feed our Cattle with: This is a Mode of making War, which muſt in the End reduce us to the moſt imminent Diſtreſs, unleſs ſome ſpeedy and powerful Exertions are made to extricate us.

" I need hardly remind you of the Encreaſe of Expences in both Money and Proviſions, which will enſue on the Arrival of the Detachment under Colonel Pearſe, the Sufferings of which has been moſt calamitous. I ſhall not dwell upon them, as he has, no Doubt, made you himſelf fully acquainted with them. *(a)*

(Signed at the End of the Letter)
" Eyre Coote."

" Camp Newtown,
27th April 1781.

(And at the End of the Conſultation)
" Edwd Wheler."

To ſhew further the critical Situation of Madras, the Expectation of a French Army, and the total Want of Money there at the above Period,

Read, a further Extract from the ſame Book and ſame Conſultation, beginning at Page 1696 of the ſame Book:

" Fort William, the 14th June 1781.

" At a Council; Preſent,
The Honble. Warren Haſtings, Governor General, Preſident,
and
Edward Wheeler, Eſquire.

Lieutenant General Sir Eyre Coote, K. B. abſent on Command at the Preſidency of Fort St. George.

" Read, the following Letter from Lieutenant General Sir Eyre Coote.

" Gentlemen,

" I was ſome Time ſince honoured with your Letter, encloſing a Bill of Exchange for 5000 Pagodas, and a Liſt of the Gentlemen belonging to the Volunteer Company, whom you had been pleaſed to promote to the Rank of Enſigns, and requeſting, as you were greatly in want of Subaltern Officers on your Eſtabliſhment, that they ſhould be ſent round if they could be ſpared.

The Bill for 5000 Pagodas was duly accepted, and will no Doubt be diſcharged when it comes in courſe of Payment.

" Previous to my taking the Field, there being a Want of Officers alſo on this Eſtabliſhment, I recommended ſuch of the Gentlemen of the Volunteer Company as had ſhewn themſelves moſt deſerving for Promotion, and they were in Conſequence made Officers; thoſe who remained as Volunteers, and I find by the Liſt you ſent me had been promoted, I ordered round ſome Time ago to Bengal, although I cannot help obſerving to you that I was under the neceſſity of paſſing ſome of them over in the Recommendations I gave in here for Promotion.

" I encloſe you a Copy of a Letter I have received from Brigadier General Goddard, by which you will be informed of the little Proſpect there now is of Peace with the Mahrattas; ſeeing, as I have long done, the Neceſſity of an Accommodation in that Quarter, to afford us even a Chance of extricating our Affairs from the Ruin which impends them, and the heavy Diſtreſſes under which they now labour, it is a Matter of the moſt ſincere Concern to me not * to be furniſhed with ſuch good Proof of the little Hope there now is of our Terms of Treaty being accepted; whilſt I cannot help being filled with Surpriſe at a Declaration contained in the Poonah Miniſter's Anſwer to General Goddard's Letter, wherein he writes, that Moodjee Boſla had informed the Circar of his having ſent back our Propoſals of Treaty to Calcutta, as inadmiſſible for him to forward to the Poonah Government; I can ſcarcely credit that ſuch a Thing can have happened,

* Sic in Orig.

(a) Vide Appendix, N° CCXLV.

becauſe

becauſe I am perſuaded that you would not have withheld from my Knowledge an Occurrence of ſuch infinite Conſequence, and which indicated the Failure of a Meaſure, upon the Succeſs of which I built my chief Hope of retrieving the Misfortunes which had fallen upon our Affairs of this Coaſt; and although I ſhould have felt the Information then, as I do now, as a very heavy Diſappointment, ſtill to have had an early Knowledge of it would have been ſatisfactory, and ſhewn me the Extent of our Expectations from that Quarter.

" By all that I can learn of the Situation of our Affairs on the Malabar Coaſt, from Gentlemen who have lately arrived from Bombay, and have had Opportunities to obſerve the Effects and Progreſs of all our Military Operations on that Side of India, I do not find that they are in a much better State than here; the Troops being conſiderably in Arrears, no Hopes of Money to diſcharge them, and very little to be expected from our late Conqueſts, as, although we have taken the ſtrong Places, the Inhabitants of the Country have not yet weaned themſelves from their Obedience and Attachment to their original Maſters. In ſhort, the Information I have obtained of Things in general, makes me entertain no very favourable Opinion of the Iſſue. I truſt in God, however, that Time will evince my Conjectures to be erroneous.

" As being a Piece of Intelligence which corroborates what we have been made acquainted with by General Goddard's Letter, concerning the Failure of our Peace Ngociations with Mahurrattahs *, I ſhall here tranſcribe what, by Accounts brought from Hyder's Camp, I am told is the Subſtance of a Letter which he has lately received from Nuſſing Row, his Vakeel at Poonah.

* Sic in Orig. Mahrattas

" I have acquainted you of Hulkers having come hither becauſe of Sickneſs; he is now recovered, and returned to Camp. The Engliſh Army is now encamped near the Village of Pecona Willy; there has been no fighting of late, and there is no Appearance of Peace. Nanna Furneſs ſent for me, and ſpoke to me as follows: I ſee no Hopes of Peace taking place between us and the Engliſh. They told me that every Thing ſhould be ſettled agreeable to our Wiſhes, but they was * not upon the Strength of that Aſſurance. I was for ſome Time diſpoſed to coincide with them, but the Whole has been an empty Promiſe. For theſe Reaſons I ſhall write a Letter to your Maſter, and do you alſo write a Letter to the following Effect: That in the Space of Two Months the rainy Seaſon in this Country will commence, and we ſhall both (alluding to the Engliſh and themſelves) go into Cantonments; whatever is to happen will be after the Rains; conformably to my Engagements I ſhall then ſend to him 5,000 Horſe under Mullanjee Roſty; that it is incumbent upon him to ſend the Money agreeable to his Engagements; and do you write in ſuch Manner as that it ſhall be ſent. Theſe are the Terms in

* Sic in Orig. do

which Nannah deſired me to write. Nannah's Wiſhes are that Ragonaunt Row ſhould be delivered up to them, and to have reſtored them all the Countries the Engliſh have conquered; but the Engliſh do not, and I am certain never will, agree to it. I have gained to your Side Hulker; it will be proper, therefore, you ſhew him Regard.

" Hyder, upon peruſing this Letter, is ſaid to be much rejoiced, and ſent for the Gemaſtat of Buckinjee, the Banker, and ordered him to provide Bills for Eight Lacks of Rupees; he alſo ſent for One of his Moonſhees, and inſtructed him to write a friendly Letter to Hulker, along with which he would ſend Jewels and Cloaths.

" I need hardly remark on the very different Syſtem which Hyder Alley ſeems to follow, in order to cement his Intereſts with the Maharattah Government to that which we have adopted, and ſo ſtrenuouſly perſiſt in. Every conciliatory Idea ſeems to be totally loſt in our Actions, as if in no Reſpect compatible with the Principles of Policy. It may be agreeable to the Rules uſually obſerved in political Purſuits to be thus ſevere; but I confeſs neither my Reaſon nor my Judgement will allow me to ſubſcribe to the Expediency of its being put to the Teſt in the preſent diſtreſſed State of our Affairs, and which are daily verging to that certain Ruin which muſt enſue, if ſome ſpeedy Means are not taken to avert it, by putting an End to our Quarrels in ſome Quarter or another.

" The Admiral, in Letters I received from him, dated the 23d of February from Bombay, expreſſed Sentiments ſimilar to my own, on our Affairs in general, and ſpeaks forcibly of the urgent Neceſſity there was for an Accommodation with the Maharattas, as the only Thing which could ſave the Intereſts of the Company and of the Britiſh Nation in India from Deſtruction. I have often declared, Gentlemen, our total Inability to proſecute the Wars in which we are engaged, unaſſiſted as we have been, and continue to be, by any powerful Native Ally, if we are equal to the Undertaking, your Government muſt poſſeſs Reſources both of Men and Money, with which I am totally unacquainted. It was in the Belief that nothing of the Kind did exiſt, that I wrote my Sentiments to Mr. Holland, your Reſident at the Court of the Nizam, concerning our forming a cloſe Connection and Alliance with that Prince, and which having given Mr. Holland my Permiſſion, I conclude he may have communicated to you; I ſhall only obſerve, therefore, that if the Sentiments I have expreſſed, are not exactly conformable to the Opinions which you may yourſelf entertain of that Policy, and it appears to you defective, you will but do me Juſtice in imputing it to a Want of more familiar Intercourſe in Matters of that Nature, and to an anxious Solicitude for the Public Welfare, aſſiſted by the Conviction that we ſtand much in Need of a Friend capable of lending us ſuch Aid as he could afford us. The Argument for ſuch a Connection I ſhould conceive, is now greatly ſtrengthened by the Failure

our Negociations with the Maharattahs, and by the Probability which our lateſt Advices from Europe intimate of a Rupture between the United States and our Nation, and which is of that ſerious Importance, to require that ſome ſpeedy and deciſive Reſolutions be come to, in order to counteract and defeat the injurious Effects, which cannot fail to be produced by their uniting with our Enemies againſt us. The French talk with the greateſt Confidence, that a Fleet will arrive in all next Month from the Iſlands with Land Forces; and it is generally believed that they do not ſpeak without good Grounds: Indeed it ſeems a Step ſo conſiſtent with their Intereſts to undertake, that I cannot help conſidering it as an Event which will certainly happen. I have had a very intelligent and accurate Account ſent me of the State of their Forces at the Iſles, by Captain Buncle, but of which I do not tranſmit you a Copy, as I have Reaſon to conclude, from what he ſays in his Letter to me, that he has furniſhed you with a ſimilar Account.

" Encompaſſed by ſo many Enemies, it is ſome Conſolation to know that we are likely ſoon to receive a Reinforcement of Troops from England, and which, although deſtined for another Service, will prove a very fortunate and ſeaſonable Aid to us here.

" Truſting that the Select Committee at Fort St. George will, agreeable to my Requeſt, furniſh you occaſionally with ſuch Information, from my Correſpondence with them, as may be neceſſary and material for you to know, I have not troubled you with a Letter ſince that of the 1ſt of March, and which, as it conveyed a general Account of the Campaign to that Time, and ſtated to you, in the moſt particular Manner, the real Situation of the Army under my Command, as to its Inability to move on any important Military Operation, for Want of Carriage for Proviſions, and other Cauſes, it is unneceſſary that I ſhould again trouble you with a Recital thereof, but content myſelf with telling you, that the Obſtacles which then exiſted are in no Shape either remedied or removed, and that I find all my Endeavours to provoke the Enemy to come to Battle, by repeatedly attacking their Horſe Camps in the Night, and always killing or taking ſome of them, unavailing; in ſhort, it is impoſſible for me, even allowing I had it in my Power to march after Hyder, to bring them to an Action unleſs he himſelf chuſes it: In this Opinion the General Officers ſerving under me coincide, and are ſatisfied that without a Body of Cavalry all my Attempts to drive him from the Carnatic muſt prove fruitleſs. I need ſay nothing more to convince you of the abſolute Neceſſity there is (if to recover the Carnatic is an Object deſerving of your Attention) of exerting every Endeavour to obtain a Body of Cavalry: I conſider this as one of the chief Advantages to be derived from an Alliance with the Nizam, and hope, for that Reaſon, that you will at leaſt deem the Subject worthy of your Conſideration.

(*a*) " I am informed from Fort St. George, by the Select Committee, that they have written to you ſeveral Letters, acquainting you with our immediate Want of Money, and of the great Diſtreſs we are likely ſoon to be in for Proviſions. The Carnatic as yet has afforded us no Aſſiſtance on that Score, nor does any come from the Southern Countries. So completely has Heyder, by his Immenſity of Cavalry, poſſeſſed himſelf of the Country, that it is with Difficulty the Garriſons, ſtill in our Poſſeſſion, although the Numbers they contain are very ſmall, find Subſiſtence; and wherever the Army goes, the Enemy's Horſe precede its March, plunder the Inhabitants of the little which may have been left them, burn their Villages, and lay waſte the Country all round, ſo as hardly to leave a Straw to feed our Cattle with: This is a Mode of making war which muſt in the End reduce us to the moſt imminent Diſtreſs, unleſs ſome ſpeedy and powerful Exertions are made to extricate us.

" I need hardly remind you of the Encreaſe of Expences in both Money and Proviſions, which will enſue on the Arrival of the Detachment under Colonel Pearce, the Sufferings of which have been moſt calamitous; I ſhall not dwell upon them, as he has, no Doubt, made you himſelf fully acquainted with them.

" The Bombay Government have, as I obſerve by their Letter to the Select Committe at Madras, written to you of their having reduced the War on that Side to the Syſtem of Defence, and reſolved, in Conſequence, to ſend me round the Detachment of Troops from this Coaſt, which were ſerving with General Goddard; and I expect them accordingly on Board the Squadron, which I hope will arrive in a few Days. It was high Time that the Company ſhould be relieved from the burthenſome Charge of our Military Operations on that Side; which, if I am rightly informed, have coſt them from firſt to laſt Two Millions of Money. Whether the Countries they have thereby obtained will compenſate for ſo large a ready Money Diſburſement, and prove a Cure for the other Diſadvantages to which it has ſubjected their Affairs, is a Queſtion which muſt be left to Time to determine.

" Leſt it may not have come to your Knowledge, and as I think it is a Circumſtance from which, in your future Intercourſe with the Maharatta State, ſome Advantages may be derived, I beg Leave to acquaint you, that Mahdea Sindea and Hyder Ally have a rooted Averſion to each other; and that the former was by no Means cordial in giving his Aſſent to the Treaty which ſubſiſts between the latter and the Poonah Government, and upon the Faith of which I underſtand, that the Miniſter Nanna Furneſs, who is devoted to Hyder from ſelfiſh Motives, objected

(*a*) Vide ſupra, Page 1577.

to

to that Article in our Terms of Treaty which was to bind them to unite their Forces with ours againſt Hyder Ally. If this is the only Obſtacle to an Accommodation taking place between us and the Marharattah State, I ſubmit it to your Judgment, whether, ſituated as we now are, it might not be good Policy to leave that Article out, and ſo make Peace. I will not conceal from you my Reaſon for this Suggeſtion; and which is, that I fear when once the Seaſon for another Campaign returns, we ſhall not be able to preſerve entire what Reputation and Advantage we may have gained by our late Conqueſt on the Malabar Side. Hence follows the Argument, that it will be more creditable for us to relinquiſh, on Terms of Accommodation, what we may otherwiſe be obliged to do by Force. *(a)*

" Camp, Newtown,
27th April 1781.

" I have the Honour to be, &c,
(Signed) " Eyre Coote."

The Counſel for the Defendant ſtated, that upon this Head of Evidence, they meant to have next produced, an Extract of a general Letter from the Committee of Secrecy, dated the 31ſt May 1781, but not having yet had it communicated to them from the India-Houſe, they ſhould poſtpone it for the preſent, and proceed to a Letter from the Preſident and Council at Madras, to the Government at Bengal, dated the 13th of May 1781.

Read, the following Extract of a Conſultation of the 14th of June 1781, beginning at Page 1656 of the ſame Book.

" Fort William, the 14th June 1781.

" At a Council; Preſent,
The Honble. Warren Haſtings, Eſquire, Governor General, Preſident;
and
Edward Wheler, Eſquire.

Lieut Gen Sir Eyre Coote K. B. abſent on Command at the Preſidency of Fort St. George.

" We cannot too warmly expreſs our Thanks for the Relief you have ſo zealouſly afforded to the Neceſſities of this Government, in ſupplying us with Money and Proviſions; and we feel the more indebted for your Attention to our Wants, when we reflect on the Diſtreſs which, without theſe Aids, we muſt inevitably have experienced, and of which we give ample Proof in aſſuring you, that we yet ſtand in great Need of your Aſſiſtance.

" Encloſed we tranſmit to you a Liſt of ſuch Articles of Proviſion and Stores as our further Neceſſities demand, and which we hope you will be able to ſend us in the Months of September and January, as we are concerned to inform you, that the Situation of the Carnatic is ſuch, as makes us fear our whole Dependance for Supplies of Grain muſt be placed on Bengal and the Northern Circars. *(b)*

(Signed at the End of the Letter)
" Fort St. George,
13th of May 1781.
" Charles Smith, &c. Council."
(And the End of the Conſultation)
" Edward Wheler."

To ſhew, that a Famine actually took Place at Madras, and the further Diſtreſſes of that Settlement,

Read, from Book 518, already delivered in, the following Extract of a Conſultation of the 3d July 1781, beginning at Page 37 of the ſame Book.

" Fort William, the 3d July 1781.

Secret Dept. Tueſday.

At a Council; Preſent,
The Honourable Warren Haſtings, Governor General, Preſident;
and
Edward Wheler, Eſquire.

Lieutenant General Sir Eyre Coote abſent on Service at Fort St. George.

" Encloſed we tranſmit to you, Duplicate of our Letter of the 13th May, with its Encloſures; together with a Liſt of Stores and Proviſions. From a Report made to us by a Committee of Civil Servants appointed to ſuperintend and controul the Sale of Grain, we have the Mortification to learn, that our preſent Stock will not, even with the moſt rigid Economy, laſt above two Months from this Time. With ſo melancholy a Proſpect before us, we cannot be too earneſt in ſoliciting every Exertion in your Power, to avert the dreadful Calamity with which we are threatened. We entreat of you, to be aſſured, we have not in the leaſt exaggerated the Picture of our Diſtreſs; and that unleſs our Wants are ſpeedily ſupplied, a very conſiderable Part of the Colony muſt periſh by Famine.

(a) Vide ſupra Appendix, N° CCXLV.

(b) Vide Appendix, ibid.

" In Regard to Money; we muſt obſerve, that we have not received the leaſt Aſſiſtance from any Quarter ſince our Letter of 13th May, excepting a ſmall Sum deſtined for Bombay, which we were under the Neceſſity of detaining; of Courſe our Difficulties have daily encreaſed: The Troops in the Field as well as this Garriſon are two Months in Arrears; every Allowance to the Members of Government has been ſtopped for the laſt ten Months, and the Civil Servants have received neither Pay nor Allowance of any Kind ſince the Month of October laſt. The Bills we have drawn on you have not ſupplied us with any Ready Money, having been either to pay for Cargoes of Grain and Freight of Proviſions ſent to Cuddalore, for the Uſe of the Army, or to diſcharge a Part of the Balances due to the Contractors for the Fortification and Repairs, Military Store Keeper, and Agent for the Army, and for which Purpoſe we have likewiſe at different Times appropriated no leſs than 1200 Candies of the Company's Copper, as without theſe Advances they could not poſſibly have carried on the Buſineſs of their reſpective Employs. A very heavy Debt ſtill remains, and upon the moſt moderate Calculation, it will require 500,000 P^{s} to free us from our Incumbrances, including the Civil and Military Eſtabliſhment, to the End of this Month. The Arrival of the Bengal Detachment, will not only add to our Diſtreſſes, by the additional Expenpiture of Proviſions, but alſo in the Article of Money, as we do not find that any Fund has been provided to anſwer its Demands. In Addition to what we have already ſaid, it may not be improper to tranſcribe for your Information, a Paragraph of the laſt Letter we received from Sir Eyre Coote, in theſe Words, 'I am moſt heartily concerned for the Difficulties 'you experience in obtaining Money, the more ſo, as I ſee the fatal Conſequences which muſt 'enſue, ſhould we fail in paying our Troops. They already begin to murmur. Seeing that it is 'of the laſt Importance to our Intereſts in India, that they ſhould, whilſt engaged in actual 'Service, be kept quiet andfaithful, every Means ought rather to be adopted than their Diſ-'contents ſhould be allowed to riſe to a Height which would endanger the State, and we might 'find it difficult, perhaps impoſſible, to ſuppreſs.'

" Thus have we ſet before you the true State of our Finances. The Want of Money in an Exigency like the preſent is an Evil which, if not corrected in Time, aims a deadly Blow at the deareſts * Intereſts of the Company. To you we need not expatiate on the Subject, nor can we doubt but you will afford the ampleſt Relief to our Neceſſities, without which the Army muſt be diſbanded, and our Ruin on this Coaſt will then be inevitable.

* Sic in Orig.

(Signed at the End of the Letter)
" Charles Smith.
Saml Johnſon."

" Fort St. George,
11 June 1781.

(And at the End of the Conſultation)
" Edwd Wheler."

Read, alſo, the following Letter from Mr. Charles Smith to the Governor General, dated 5th June 1781, already delivered in.

" Dear Sir,

" I have been in anxious Expectation of hearing from you for this Month paſt. I can only account for my not having that Pleaſure, by ſuppoſing that your Letters have been intercepted by a Party of the Enemy's Horſe, which are committing Depradations † between this and Nellore, and have prevented our receiving any Advices from the Northward ſince the 26th of April.

† Sic in Orig.

" I have already ſo fully repreſented our Diſtreſſes for Money and Grain, that I have nothing to add on theſe Subjects, except it be to aſſure you, that they are now arrived at ſuch a Height as to preclude all Hopes of carrying on the War, if we do not receive from you ample Supplies of both, and theſe ſpeedily.

" Before this can reach you, I doubt not you have received Advices of a Relief having been ſent from Bombay, for the Garriſon of Tellichery; and that the Detachment under Major Cotgrave has been withdrawn and conveyed to Cuddalore, where Sir Edward Hughes, with the Fleet, arrived the 25th ultimo; alſo, that the Situation of Affairs on the Malabar Coaſt did not admit of Colonel Brown's Detachment being ſent round.

" General Sir Eyre Coote marched with our Army on the 26th ultimo, towards Trivedy, with a View of beating up Meir Saib's Camp, and alſo of drawing off the Enemy from the Siege of Tyagar, which has been, for ſome Time paſt, cloſely inveſted. Hyder, with his main Army, has re-croſſed the Colcroon, and, it is ſaid, intends to take up his Ground between our Army and Tyagar. I have no certain Accounts yet from Cuddalore, of what General Sir Eyre Coote has been able to effect:—it is reported, that he returned to Cuddalore on the 2d.

" I hope Colonel Pearce has duly adviſed you of his March, there being no Interruptions to Tappals beyond Nellore, as the River Kiſtna ſwells about the 10th of this Month; I hope to hear in a few Days, that he has arrived with his Detachment and Two Circar Battalions at Nellore, where he can remain in Safety, until further Orders, as we have ſent a ſtrong Detachment there from hence, with Cannon and an ample Supply of Military Stores.

" The Board have put the Management and Superintendancy of Grain under Three ſenior [illegible] but all their Care will not avail much, as, with the ſtricteſt Oeconomy, and curtail-

ing the Quantity cuſtomarily allowed for daily Conſumption, the private Stock cannot hold out Six Weeks: When we are obliged to break in on the Company's Store, I apprehend the worſt Conſequences. I wrote you ſo pointedly on this important Subject by the Dartmouth and Rochford, that I flatter myſelf both theſe Ships will bring us a Supply. We have no certain Proſpect of receiving Succour except from Bengal, as it is quite uncertain when Hyder may move from the Southward; and very little can be expected from our northern Settlements in September. The Veſſels uſually employed at thoſe Ports, are not conſtructed ſufficiently ſtrong to encounter bad Weather.

" As you are fully acquainted with our Situation and Reſources, it is ſuperfluous my animadverting further on theſe Subjects, being perfectly convinced you will take every Means in your Power for ſending us ſpeedily all the Grain for which you can procure Tonnage, and whatever Sum of Money you can raiſe; without theſe, we muſt be ruined, and both Civil and Military be driven to Deſpair. Words cannot expreſs to you what I feel, or convey to you an Idea of my Situation.

" The Squadron is now here, taking in Water, Proviſions and Stores, which may be effected in about Ten Days. Sir Edward intends to ſail as ſoon as is poſſible, and take a windward Station, ſo as to be able to intercept the Enemy's Squadron, ſhould it come near this Coaſt.

" We ſhall diſpatch to you the Lively Brig, Captain Foreſt, in a few Days; and Sir Edward Hughes informs me, he ſhall order the Nymph Sloop of War to Calcutta ſoon after; by theſe Conveyances I propoſe to myſelf the Pleaſure of writing to you more fully.

" I have the Honour to be, with Eſteem,
Dear Sir,
" Your faithful humble Servant,
" Charles Smith."

" Fort St. George,
5th June 1781.

" Honble. Warren Haſtings, Eſquire.

Read, alſo, the following Letter from Mr. Smith to the Governor General, dated the 13th June 1781, already delivered in.

" Dear Sir,

" I did myſelf the Pleaſure of paying my Reſpects to you laſt, under Date the 5th Inſtant, and now forward you a Duplicate of that Letter.

" Agreeably to the Permiſſion given to the Committee, in your Letter of the 26th February, they have applied to Sir Edward Hughes for a Frigate; in conſequence, the Nymph is now diſpatched to Calcutta, and I truſt will ſpeedily return to us with an ample Supply of Treaſure, to enable us to carry on the War, and to ſave us from inevitable Deſtruction: The Committee write ſo copiouſly on the Subject of Money and Proviſions, that nothing remains for me to ſay, but to reiterate to you our urgent Diſtreſſes, and the melancholy Proſpect we have before us, unleſs ſpeedily and effectually relieved by you. The Stock of private Grain cannot hold out longer than the End of July, and if we are ſtill to continue to feed the Army from the Store of the Garriſon, God only knows what will become of the Inhabitants of this Colony, as, in that Caſe, we ſhall be able to afford them but little Relief; in ſhort, our whole Reliance is on you, dear Sir, and I have full Confidence you will do every Thing you can to aſſiſt us.

" We have no certain Information reſpecting the Bengal Detachment; the Nabob informs us he hears it has croſſed the Kiſtna, in that Caſe I hope it is at Nellore; but of this you muſt be fully informed by Colonel Pearſe.

" Sir Edward Hughes having completed the Squadron with Proviſions, Water and Stores, proceeds to the Southward this Evening, to take a Windward Station, that he may be in Readineſs to intercept the French Fleet, ſhould it come on the Coaſt; in his Way he calls at Cuddalore in order to co-operate with Sir Eyre Coote, in every Thing he may propoſe for the good of the Service, as far as Circumſtances will permit. Sir Eyre has it in Contemplation to make an Attack on Chillumbrum, for which Purpoſe we ſend him, at his Deſire, four battering Cannon, on Board the Squadron: But Report ſays, Sir Eyre was to march on this Expedition as Yeſterday; of this however we have no certain Information. We are ignorant what are Sir Eyre's future Intentions, or in what Manner he propoſes to form a Junction with the Bengal Detachment; it is a Matter of very ſerious Moment, and the longer Sir Eyre remains in his preſent Situation, the greater, I fear, will be his Difficulties; I can only ſay that the Committee have done every Thing within the Limits of their Abilities to anſwer all his Wants and Demands; more cannot be expected.

" The Board, I believe, mean to diſpatch the Groſvenor for Europe in all next Month; ſhould you have any Advices to go by her, I hope they may be here by that Time. My Health has been ſo much on the Decline for theſe two Years paſt, and I have had ſo many ſevere Attacks of a bilious Fever, that I fear I ſhall be under the Neceſſity of taking my Paſſage on Board the Groſvenor; indeed by that Time I think it more than probable that a Governor may be arrived from England, as I conclude one muſt now be on his Way to India.

" In the hopes of hearing from you ſoon, I have the Pleaſure to ſubſcribe myſelf,

" Dear Sir,
Your very obedient
Humble Servant,
" Charles Smith.

" Madras,
13th June 1781.

Read, from Book 518, already delivered in, the following Extract of a Conſultation of the 24th September 1781, beginning at Page 213 of the ſame Book.

" Fort William, the 24th September 1781.

" At a Council; Preſent,
Edward Wheler, Eſquire.

The Honble. the Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote abſent on Service at Fort St. George.

" We know not in what Words to deſcribe our Diſtreſs for Money; nor can any Conception you can form of it, exceed the Reality. The Permiſſion you have given us to paſs Drafts upon you, has not yet proved of any Avail; and though we have directed the Chief of Surat to endeavour to negociate Bills in that City, we do not find he has met with any Succeſs, the Shroffs having advanced all the Money they could procure for General Goddard's Drafts; and we had given particular Orders to avoid a Competition to prevent the Exchange being raiſed. We muſt therefore entreat, that you will fall upon ſome more effectual Method to ſupply us, or our Diſtreſs muſt increaſe to ſtill more alarming Extremity. For many Months our uſual Reſources will not be productive. (*a*)

" We are, &c.

" Bombay Caſtle,
3d July 1781.

(Signed) " Preſident, &c. Committee."

The Counſel for the Defendant informed the Houſe, that the above Document was the laſt they ſhould produce at preſent upon this Subject, prior to the Time of the Defendant's going up to Benares; but that they ſhould read One more on this Head on a future Day.

Then the Houſe adjourned to the Chamber of Parliament.

(*a*) Vide Appendix, N° CCXLVI.

Die Mercurij, 9° Maij 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed with their Evidence.

The Counſel for the Defendant ſtated, That they ſhould proceed to prove the Diſtreſſes of the Army under Major Camac's Command, about the Period of November 24th 1780, by producing a Letter from Major Camac, to the Defendant, of that Date; and deſired Major Scott might be again called in to prove the Hand Writing.

Major Scott was accordingly called in, and a Paper being ſhewn him, he was aſked,

Q. Is that the Hand Writing of Major Camac?
A. The Beginning of the Letter is, and the Signature.—Part of the Middle, an Extract, is a different Hand Writing.

Q. *(Croſs examined)* Do you know whether this Letter was communicated to Cheit Sing?
A. Not in the leaſt.

Then the Paper was delivered in; and the Counſel for the Defendant deſired the ſame might be read.

The Managers for the Commons objected to ſo much of the ſaid Paper as was not proved to be of the Hand Writing of Major Camac being read; and

The Counſel for the Defendant being heard in Anſwer,

The Managers for the Commons waived their Objection.

Then the ſame was read as follows:

§ ("Dear Sir, "Camp at Narwar, 24 November 1780.
"I have long forborne writing to you from the many diſagreeable Circumſtances which have "happened of late, in Hopes of being able to give you an Account of having extricated our-"ſelves from them; and from the ſame Motives, forbore ſending you the Two Letters which "accompany this, as I had before they were diſpatched heard many ſuſpicious Circumſtances of "the Ranah's Conduct, and I wiſhed to certify them firſt; beſides, as it was out of your Power "to give me immediate Relief, I did not wiſh, amidſt the Number of untoward Events which "have lately appeared, to give further Embarraſſment to your Mind, by telling you of the diſ-"agreeable Circumſtances with which I was ſurrounded. The following Extracts will ſhew you "[illegible] Part, and thank Heaven they are now all obviated, having been able to divide 70,000 "Rupees among the Troops, and I firmly believe they will heartily go on, and are impatient for "a little plunder in Malva."

"Extract of a Letter received from Lieutenant Hicks, dated Sipyera, the 2d November 80.

"The Ten or Twelve thouſand Rupees, now on the Way to this Encampment, I look upon "to be of very little Conſequence—of what Uſe can ſuch a Diviſion be to Troops ſo much in "Arrears, who are Sevenfold in Debt to the different Banneahs, and to pay an Intereſt for the "ſame, which, will * Uſury beyond Conception; what preſent Exigency can ſuch a Supply ſerve * *Sic in Orig.*
"to multiply their Fears of what they are to expect, in future, the further they are re-"[illegible]om our own Provinces?

" We arrived at Sippera this Morning, and, in reſpect to Grain, we now have the Appearance " of Plenty and reaſonably cheap; unfortunately there is no Circulation of Caſh to produce " freſh Supplies: It is neceſſary that the Banneahs ſhould be provided with that Article, to collect " Proviſions cheap for daily Conſumption; for, as I have before obſerved, I do not think it is " in their Power to advance a Sufficiency for the required Demands. I really think you have a " difficult Game to play at this Criſis. Your Reputation as a Soldier is at Stake; the Good of " the Company is hazarded on the Succeſs of your Campaign; and the Whole depends on the " abſolute Produce of intrinſic Value to the Troops which are to ſupport your Cauſe. This " Obſervation of mine does not proceed from mere Speculation or local Circumſtances, it is " from general Obſervation, it is from general Complaints. I am, however, happy to tell you, that " we have had much leſs Deſertion ſince I wrote to you laſt, than could be expected from the " Sepoys Behaviour prior to that Period; but Reaſons can readily be aſſigned for it. The Two " Centre Battalions with us have, I believe, received ſome Money recently from their reſpective " Captains, and it is principally on their Account and Steadfaſtneſs that the Flank Battalions " have behaved ſo well. I underſtand that the 2d Battalion (Mr. Clariſs) has only loſt Two " or Three Men by Deſertion ſince they left Gualier. But we muſt not reſt contented here, " or ſuppoſe that they will remain ſo much longer, for I have learnt, and am apprehenſive there " is too much Truth in it, that the whole Line have come to a Reſolution, by frequent and " private Aſſemblages in the Night, to proceed no further on ſuch a precarious Service; they " have been heard to ſay amongſt themſelves, that they have no Doubt, were they in the Vicinity " of our Provinces their Arrears would be ſoon diſcharged; but what Probability can there be " of ſuch a Meaſure taking Place the more they retire from them?

" There may be but little Truth in all theſe Reports; and the Troops may move from this " Place, as they have done before, but what dreadful Conſequence it will be to you if it ſhould " happen otherwiſe?"

" Extract of a Letter from Lieutenant Hicks, dated the 7th November 1780.

" I underſtand that Captain Johnſton is going to diſpatch a Letter to you, and therefore once " more I trouble you on the Score of Proviſions; what we have here to depend on is from " Six Hours to Six Hours only: If perchance this ſlender Method ſhould receive a Check, God " knows how Matters would turn, for Hunger, at this Time in particular, would in all Probability " create Mutiny."

" Extract of a Letter received from Captain Johnſton. Sippera, Nov. the 9th, 80.

* Sic in Orig. " Now we are talking of moving, I muſt beg leave to tell you, that every Perſon here * are in " the greateſt Diſtreſs for it; every Soul is complaining, and a general Diſcontent reigns all " throughout.

" Captain Adderly reported to me this Evening, that his Grenadier Company told him that they " were ſtarving, and were not able to take up their Arms or do their Duty; that they had ſold " and pawned every Thing they had, to ſubſiſt themſelves, and that now they had neither Money " nor Credit, and that they could not live any longer if they were not relieved. I wiſh, there- " fore, that you would ſend me that 12,000 Rupees you ſaid you had; it will do ſomething if it " is only to give in the Buzar, but it muſt not be offered as Pay.—I declare to you, I do not be- " lieve the Troops would go on with you, if you were even to advance, until they were paid. " I aſſure you I ſhould be afraid of the Conſequences.

" From the above Paragraphs you will ſee the State of the Troops, and how neceſſary it was " to keep them in Temper.—It is little better in our Camp, eſpecially in the Light Infantry, who " having comfortable Habitations in Bahar, and having made Fortunes in the Service, were more " diſcontented than the reſt. Seventeen of them were plundered by a Zemindar, and one of their " Servants, who returned to Camp, informed us, that he had taken Fifteen or Twenty Rupees " from each. The pooreſt were thoſe that ſtaid, and many were ſick for Want, and the Cap- " tains obliged to ſupport them by the Day; many went to the Hoſpital, as they ſaid, through " Hunger; Diſcipline muſt grow relaxed, and from the Temper of the People, though I have " One of the Deſerters now under Sentence of Death, I won't put it in Execution for Fear of " producing worſe. When the Money all arrives, and all are pleaſed, I will take him out and

‡ Sic in Orig. " pardon him, which, I think ‡, do more good than an Execution ſo long prolonged.—I got

† Sic in Orig. " ſome Rupees conined † here, and the Officers lodged all their Plate with me to be coined, " if neceſſary; they gave their Camp Plates, Spoons, and all they had—All mine too went, and " it muſt have had a good Effect on the People to ſee my Chubdar Stick, and all my Finery " thrown into the common Maſs for their Subſiſtence.—The Captains had alſo ſome Money, " which was alſo divided, and by one Shift or other I kept them on till the Shroffs arrived from " Benares.—I muſt beg you to take Care of me regarding Money Matters in future.—Our De- " tachment takes at leaſt a Lack and a Half per Month, excluſive of Contingencies, and there " is a very heavy Balance due to Major Popham's Corps at the Time of its Junction. On the Cal- " culation there is due by the 1ſt of December above Six Lacks of Rupees; and there " this, the Four Lacks ordered from Benares, a Lack which Mr. Purling has gr[illegible]

" Almaſs Ally Khan, and what I can get from the Subſidy, which, in the preſent State of Affairs, " is not to be counted on. Indeed I don't know when I ſhall receive the Lack from Almaſs " Ally, and if it does not come ſoon, I don't know how it can, for the Ranah's Behaviour has " been ſuch, that I don't think he will long give us a Paſſage through his Country, and our only " Reſource muſt be Gopalchund at Benares, and it is very doubtful if he can effect it.—I beg " you will conſider this without Loſs of Time, and write to Mr. Fowke and Mr. Middleton on " the Subject.—This will ſet us right in Money Matters, and Col. Morgan and Col. Muir are " ſending me 500 Drafts to ſupply the Deſertions. Every one, ſince the late Supply which I ſent " Mr. Charters to raiſe at Gohud, ſeem now quite ſatisfied again, and wait patiently for the reſt. " Indeed, Sir, you ought to have let me had my Choice of Battalions and Officers too on this " Occaſion.—My own old Battalion would have ſhewn an Inſtance of Attachment which would " have done Honour to them and me, and would have been an Example to all the others. Their " Confidence in me too would have given Heart to all the others, as was the Caſe in my laſt " Command, when you ſcarce heard of Deſertion, though we went avowedly to join Gen. God- " dard.")

☞ [" I am now forced to begin a Subject which I have put off till I am aſhamed of myſelf.—It is with the greateſt Reluctance that I enter upon it, and I cannot but bluſh to find I have been ſo much deceived—In ſhort, I am afraid our Friend the Ranah is loſt to us entirely.—Thoſe Villains have certainly carried him off from his own and our Intereſt; Gualin is the Cauſe of all this—This is the Term they have continually harped on—This has been his Hobby Horſe from his Infancy, and he has been perſuaded that he is further from it than ever. I wiſh it was in the Hands of the Marhallah's rather than his, for if he ſhould get it now, he will deem himſelf more obliged to Needjef Khan, and the Marhattah's, or perhaps his own evil Counſellors, than to our Faith.—It is a Bone of Contention, and who ever has it muſt be at Enmity with the Rannah: Nudjef Khan knew this, and by the Help of a little Bribery has made uſe of this to change a very natural Connection, into an utter Diffidence and Diſlike, and the Antipathy and Remembrance of mutual Injuries, which ſubſiſted between him and the Rannah, into a friendly Correſpondence, mutual Civilities, and moſt probably ſomething more. This Bone of Contention is now at an End between the Marhattas and him, and mutual Civilities paſs between them openly, and they have managed to make it a Source of Quarrel with us.—I very early gave you my Sentiments on this Head; much has been ſaid and done to ſatisfy him; but nothing leſs than the Fortreſs itſelf, and I don't know whether this would have bound him to us, for his Education has been ſuch, that his own Intereſt has been, and is, his only Purſuit.

" But not to anticipate Matters, I ought to tell you my Progreſs, as far as my Intelligence lay, how all theſe Things have been brought about. I marched in Two Days from Sallbye to this, when I intended to halt, to keep the Communication open for the reſt of the Detachment, till the Rannah came the other Road to Jeercie, which is within Three Coſs of Sipparee. This is the open Road from Gaulin, and on it are Two or Three Marhattah Forts, which he ſaid had promiſed to ſurrender on his coming that Way, and which I think they would have done; Sipparee alſo would have ſurrendered, and the Suar was to have held the Country on the Rannah's Part, as he ſays it is in the Sunnud for the Fifty-ſix Mahals, though it never was in his Families Poſſeſſion. This would have opened a clear Road into Malva, which no one could interrupt, and a ſecure Retreat on every Emergency. This has obliged me to halt to preſerve the Communication; for the Roads into the Paſs winds round the Fort, and is effectually ſtopped. Not contented with this, the Rajah of this Place has been perſuaded, that we intend to take his Fort; and neither my Endeavours and Conciliations, nor his own Intereſt, can bring about a Meeting, or perſuade him to the contrary. His Ragge is divided between the Marhattahs, &c. and his Fears of us are ſuch, that he won't come off his Hill to recover it; but he could be of little Uſe, excepting his Paſs.

" From the Time of parting with the Ranah, I have repeated Accounts of his Determination not to come, but I treated them as I had a Multiplicity of others; he pleaded Sickneſs, and wrote he would ſend his Brother. At length the Battalions were countermanded, and his Tents were ſtruck, which had been pitched for his Reception, and he appointed a Meeting with the Rajah of Bhinde at the Jumna Side, when People on the Part of Nudjef Khan were to have an Interview with them. Many People think that theſe Intrigues originated long before my coming, and commenced on the firſt Differences about Gualier; perhaps they might, and had been begun, but he ſeemed as deſirous of going into Malva as we were, and had much more Advantage to promiſe himſelf by the Expedition. With theſe Views he certainly wrote Letters along with mine, giving them every Encouragement to join us, which they promiſed, and ſent their Terms to him; but he has hitherto thrown cold Water on them of late. On Sheereen Khan's Arrival from Ochly, his Friend Muzzan Ally put every Iron in the Fire to keep him from joining me, and to throw him into the Arms of Nudjef Khan, by diſuniting him with us. Muzzan Ally laboured under Nudjef Khan's Diſpleaſure, whoſe Servant he was, for bringing about the Treaty with the Engliſh; but he has now bribed him to his Purpoſe. Horrid! that Twelve or Fifteen Thouſand Rupees ſhould ſpoil Plans of more Conſequence than Lacks, or * the Want of the Application of ſuch Sums ſhould mar ſuch great Proſpects! They have told him, 'Now, if you want Gau- the Time, or never; you have waited ſo long for Anſwers, and got no Satisfaction; you

* ſic in Orig.

'ſee

'ſee his Eagerneſs to go into Malva. Rehmhetta writes, that he can do what he pleaſes. By your 'ſtaying you will get Gualier eaſy; now is the Time to make yourſelf of conſequence, when they want 'you; when their Purpoſe is once ſerved, they will diſregard your Repreſentatives. They talk of Malva, 'but they will juſt ſerve you in the ſame Manner, and perhaps will keep Gaulier to ſecure any Ac-'quiſitions which they may make there:' 'Why will you march?—They can do nothing with-
* Sic in Orig. 'out you; prevent any one from joining them them*; and you will carry your Point by ſtaying 'in your Houſe, and without putting yourſelf to any Expence.' This I am well informed was literally the Advice of theſe two Perſons, and has hitherto been fully adopted. They added, 'Why 'ſhould you be apprehenſive? If they attempt any Thing hoſtile againſt you, there's Nudjef 'Khan ready to ſupport you with any Force you want.' Every Day rendered his Intelligence more and more certain; but it is unneceſſary to plague with numberleſs trifling Circumſtances. At length, a very few Days after my Arrival here, his Vackeel made a Number of formal Requiſitions, from a Paper of Maſauda (a foul Copy,) which came from Gohud. I had Intelligence, that this was wrote by Muzzur Ally himſelf; and on demanding it, to make a Tranſlation from it, was acknowledged by every one, to be his Hand. I have now got it, and will ſend it you for Proof, if you chuſe. The Tranſlation of it is encloſed. In it, he openly accuſes you of equivocating, and breaking your Word with him regarding Gaulier. Says he'll go if I'll give him that Fortreſs; otherwiſe he will remain, and ſtarve at home. That if this cannot be, as he has no Money, I muſt pay his Army. The laſt Propoſal was very extraordinary, at a Time when we were in ſuch Diſtreſs for Money, and when he had juſt been collecting above 20 Lacks at the Deſſerah. Every Thing was growing worſe; our People were ſtopped every where; beat and inſulted. All my Applications for Ryparries from his Country were ineffectual, and our Bazee ſtopped on one Pretence or other. All theſe I bore without ſhewing the leaſt Reſentment; nor has there been the ſmalleſt Quarrel paſſed between us. Atmaram continued with me all this Time, and ſeemed as much hurt at the Rajah's out-of-the-way Behaviour as I was; and begged to have Leave to go and explain to him his real Intereſts, and how much he was abuſed. Accordingly I diſpatched him on the 15th, though I could but ill ſpare him from me, as I found him very ſerviceable on every Occaſion. I have taken theſe Pains with him for the public Service; and with this View have borne every Thing with the greateſt Temper, without even reproaching for his Behaviour, in Hopes of being able to ſet all to Rights on our Meeting. He is certainly of ſome Conſequence to us at preſent, particularly in the Operations of this Detachment; but the Intercourſe with Nudjef Khan and Sindiah makes him think himſelf more ſo; and I believe he wiſhes to make us feel it. Atmaram promiſed to return to me in four or five Days, and that he would actually bring the Ranah with him. I gave him the moſt friendly Letter that I could, for the Ranah; a Tranſlation of which is encloſed. The Contents were, 'That on my Arrival at Gohund, I was 'much pleaſed with the Ranah's Behaviour; conceived the beſt Opinion of him, and gave him 'unreſerved Confidence; marched to Salbye by his Deſire; waited there many Days expecting 'his joining me; went to Deogur to him; returned, and marched on in Hopes of his joining 'me at Narwar or Jeerce; did not reproach him with a Breach of Promiſe; begged to put him 'in Mind of what the Governor had done for him, when no other Friend was near to ſupport 'him; conjured him to come; and deſired him to think of the Pain Mr. H. muſt ſuffer in 'a Diſappointment of his Expectations from him; and alſo to conſider the Advantages accruing 'to himſelf from his joining me.' At the ſame Time, I inſtructed Atmaram as follows, and made him take Notice of it, which he promiſed to tell him: 'That the Ranah had engaged, in his 'Treaty with the Company, to furniſh for this Service 10,000 Horſe; that in this Reſpect we 'were not ſtrict with him, if he would do what was in his Power, and unite all his Endeavours 'for our mutual Good, this would eaſily be diſpenſed with; that till this Time he had con-
* Sic in Orig. 'tinually kept up my Expectations in Reſpect,* and accompanied his Words by the moſt ſolemn 'Promiſes; that in Performance of this, there was not a ſingle Peon arrived with us. That he 'had promiſed to open the Road by Gazygur and Jeerce to Sippree, whilſt I opened it by 'Narwar: Failure in which had reduced us to the preſent Extremities for Grain, and might 'have been of much worſe Conſequence. That the Seppree Mans Behaviour was entirely owing 'to him, as it is well known his Vackeel at Gohud offers to ſubmit to him and us. That he 'would not pay the Remainder of the Subſidy, though he knew we were in the moſt horrid 'Diſtreſs for it; and that the Officers were pawning their Plate to ſubſiſt the Troops. That on 'the 25th of September, he told me he would, in a few Days, pay me 50 or 60,000, or perhaps a Lack from the Rutchwagar Revenue; but long ſince, and my Neceſſities ſo preſſing, 'he has not given me a ſingle Rupee. That the Revenue is ſaid to be Five Lack and an 'Half; and he has collected 8 or 10 Annah of this Year, and as much more, which were the 'Balances of laſt. Surely he might ſend me a Lack at leaſt. That the Pleas of Neceſſity 'which he made uſe of were very bad, as it was well known that he had great Acceſſions of Country, and that every one ſaw that it was in the moſt flouriſhing State, and ſtill 'more ſo by the Preſence of the Detachment. That it was well known that he had lately 'collected at leaſt Twenty Lacks, and had iſſued nothing to his Troops. That it was 'mocking our Diſtreſs to aſk us in the preſent Criſis to pay the Expences of his Army 'which was to accompany me. But above all he ought to have been more [illegible] 'with Mr. H. than to accuſe him of a Breach of his Word, after the many and

' guiſhed Favours conferred on him, and how much you had ſuffered on his Account. That ' he knows we are in the greateſt Diſtreſs for Grain, and though I have repeatedly applied, he ' has never ſent me a ſingle Bullock Load. I deſired him to adviſe and explain to him that it ' was his Intereſt more than ours to enter into a thorough Co-operation, and a hearty, unreſerved ' Support; that by it he acquires an Eſtabliſhment, perhaps a Province, or at leaſt ſecures his ' own Country in the moſt permanent Manner, and becomes a conſiderable Power in Hindoſtan ' and the Deckan. That if a Peace comes he will be inſtrumental in it, and provided for, or ' declared and acknowledged by the Mahrattas themſelves, a free and independant Prince. That ' by our Exertions and great Succeſſes we gain the more advantageous Terms for him, and by ' his Breach of Faith and diſtreſſing us, we may be obliged to give up Points very deſirable to ' him. He does not know what he ſubjects himſelf to by a Breach of Treaty, whereby he loſes ' the Benefit of every Article in it that is for his Benefit. That the Mahrattas want to have ' Gualier, and demand him as their Zemindar and Vaſſal. He knows that a Negociation for ' Peace is on Foot, and perhaps whilſt we are ſtickling for thoſe Terms for him, he is oppoſing ' our Intereſts. Does he propoſe by theſe Means to get Gualier? It is the ſure Way to loſe it for ' ever. By his Breach of his Treaty he leaves the Company at Liberty to give it to Nudjef Khan, ' the Mahrattas, or who they pleaſe; the Treaty evidently ſuppoſed it to be kept in our Hands till ' the Peace; his People may for their own Purpoſes give him one Explanation, and have given ' another at Calcutta; ought it not therefore to be conſidered how it is underſtood? His Vakeel ' may write him Lies; but he ought not to loſe himſelf for that; that by his Promiſes he had induced ' us to keep up and ſend out this Army, and if he failed, might not the Expences of it be demanded ' of him; that it would be more adviſeable in the Rannah, in caſe of a War with Nudjef Khan, to ' look forward to get Poſſeſſion of ſome of the Jaut Countries, which that Perſon had ravaged from ' his own Relations; would it not be more creditable to form Combinations with that Family, or ' negociate an Alliance, to get their ancient Poſſeſſions and former Splendour; or to ſupport the ' Jainaghur Rajah in his preſent tottering Situation? This would raiſe his Fame, and give him real ' Conſequence among the native Princes of India; that by his Alliance with us we made him our ' Equal; that if he forfeits it and connects himſelf, * Nudjef Khan, or the Mahrattas, he may * Sic in Orig.
' become their Dependant, as he knows both their Views.' All this I wrote down at the Time, and told it fully to Atmaram, and deſired him to give to the Rannah as his own Advice and my Sentiments on the preſent Poſture of Affairs, which I have no Doubt of his doing in the moſt faithful Manner.

" From the above Account which † ſtrictly juſt, you will comprehend the Situation of Affairs † Sic in Orig.
with the Ranah. It is with the greateſt Reluctance I have entered upon the Subject, and delayed too long already; I have been ſo vexed and mortified at the Diſappointment, that I could not bear to ſet down to it. His Behaviour he cannot juſtify, all he can ſay on the Subject he doubtleſs will in his Letters to you, and has done ſo to me. Up here, in Vindication of himſelf he abuſes us publickly, and we are accuſed at the Court of Dehly, and with every Potentate here of a Breach of Faith, an Accuſation without the ſmalleſt Proof; even the Gommon News has it; would it not be proper to publiſh a Refutation of it? I am preparing one which ſhall be ſent for your Approbation; I have never taken a Step that could give him the ſmalleſt Offence, ſo that we are on very intimate Terms. In this I have taken Care he ſhall have no Excuſe on my Side for ſheltering his Conduct under any Provocation he might have received from me, or be able to ſhew a Diſinclination to accompany me, for Fear of any ill Treatment which he had Reaſon to expect.

Whether the Ranah's preſent Conduct is owing to himſelf, or the Perſuaſion of others, it is equally bad. They certainly told him, that by ſtaying out a ſingle Month he would gain all his Views, and bring us to comply with what Terms he pleaſed. And they thought that this would involve him in ſome Diſagreements or Species of Hoſtility with us, by which he would be flung into the Arms of Nudjef Khan. Again, I know, partly from my own Experience, and from the Accounts of thoſe who are well acquainted with him, that he attends very little to Advice, but will purſue his own Intentions contrary to every one's Opinion, if he likes it. I thought him the only Exception which I had experienced, in differing from the Zemindary Principles which theſe Hindoo Rajahs are educated in, but he now appears much the ſame, and will alter and change as his Intereſt ſuits, without Regard to Credit or Decency.

" He is certainly now a greater Detriment to me than if we had no Connection with him; I had commenced all my Correſpondence with the different Chiefs by his Means, and now all is at a ſtand; he has intimidated ſome, and inſtilled ſuch Apprehenſions into the Minds of others, that every one is afraid of us; his Alliance has given him a better Opportunity of abuſing us, and telling them that he had found out our Views and Intentions; from this Circumſtance I have no Man who has ſufficient Influence among them to convince them to the contrary; I am myſelf a Stranger, and they are as yet ignorant of my Character; I am even apprehenſive that he has betrayed our Correſpondence with many of the Chiefs, who are partly dependant on Sendiah: To him the Nabob of Bopaul ſent ſome Articles of Conditions, encloſed in a Letter to him, for his preſenting to me, and informed me therewith at the ſame Time, and his diſcovering this may be that Prince's Ruin. The Dellah, Janſey, and Kaulpee Chiefs are entered into the ſtricteſt Alliance with him, and ſend my [illegible] to him, before they give me an Anſwer. This Rajah, though his Country is entirely taken

from him, is terrified from making Propoſals to us, and does not ſcruple to tell privately that the Ranah has forbid him. The Ragoghur Rajah, whoſe Country is between Sippree and Serouge, is in direct Enmity with Sendiah, and plundered Ambajee, on his Return from Gualier. This Chief had entered into a Connexion by Means of the Ranah, but he now tells me he is afraid of him, and charges me not to tell him any Thing, and ſeems to wiſh to treat independant of him: All theſe laſt mentioned Diſcoveries have happened within theſe two Days.

" Indeed, there does not ſeem to be a Doubt of his wanting to force us into his Terms, and perhaps worſe Circumſtances from every Part confirm it; every Officer, every Sepoy or Servant in Camp; his Declarations and Intentions are in every ones Mouth, and the Villagers threaten our People with them as they paſs along; thus are we circumſtanced regarding this Fortreſs, and if he was to get it now, he would eſteem himſelf more indebted to the Mahrattas, or Needjef Khan for it than to us. In my Opinion, he has intentionally broke the Treaty, and I would rather ſee it given to either of them than to him.

" I received Mr. Shakeſpear's Letter, wrote by your Directions, alſo public Orders to halt, about the Time of my arriving at this Place, but Circumſtances were ſo favourable, that I believe I ſhould have been tempted to go on peaceably to Bopal, to cover that Country, form a Place of Arms there, and make it a Station whence I could offend any Part of the Marhattah State, and keep Sendiah effectually at Home. My firſt Place was to march to Serough, and from thence, if I found it adviſeable, to ſend two Battalions by forced Marches to Bhopaul, which ſhould follow me with the Bopaul Army on my Way to Augure.

" I will write you more immediately on political Matters in a Day or two, when I expect to receive an Anſwer to a Letter which I wrote Sindiah; I thought it neceſſary to do this, to convince him that my halting was from Motives, and not through Neceſſity.

" I am, dear Sir,
With true Reſpect and Eſteem,
Your very faithful Servant,
" J. Camac."]

" Honble. Mr. Haſtings.

To ſhew the Apprehenſions entertained of the Neceſſity of ſuſpending the Company's Inveſtments for this Year,

Read, from Book 560, already delivered in, the following Extract of a Letter from Warren Haſtings Eſquire to the Secret Committee of the Court of Directors, dated 29th November 1780, beginning at Page 254 of the ſame Book:

" To the Secret Committee of the Honble. Court of Directors of the Honourable United Eaſt India Company.

" Honourable Sirs,

" Par. 1. In the preſent alarming Situation of your Affairs, which their Diſtance, the long and momentous Interval which will have paſſed before you can receive the Knowledge of them, and the Diſſenſions, which are ever attendant on public Calamities, will be ſo apt to exaggerate, you will probably expect that I ſhould inform you of my particular Sentiments concerning them; and I am the more deſirous of conforming to this Suppoſition from a Belief, too ſtrongly founded, that the Meaſures neceſſary for the Preſervation of your Poſſeſſions and Intereſts in India, will be inevitably productive of One Conſequence, of which you ought to be early apprized, that you may be enabled to obviate it in the Proviſions which, I underſtand, will fall regularly under your Conſideration, ſoon after the probable Receipt of theſe Diſpatches.—I bear too high a Reſpect for the Characters to which I addreſs myſelf, to treat them with the Managements of a preparatory and gradual Introduction of an unpleaſing Report; and, as it is the only Point of ſubſtantial Information which I ſhall have to convey to you in this Letter, I ſhall, therefore, make it the firſt Subject of it.

" The Conſequence, to which I allude, is the Neceſſity to which I foreſee that we ſhall be compelled of making a large Reduction, and, poſſibly, a total Suſpenſion of your Inveſtment for the enſuing Year.—I cannot pronounce what our Ability may be beyond that Period; this will depend on Contingencies too variable and remote for preſent Conjectures.—In Juſtification of the Meaſure itſelf, which I have predicted, I muſt remark, that it will be leſs an Act of the Board, than, as I have before intimated, the Reſult of an unavoidable Neceſſity, in which no Option will be left us, but either to ſacrifice the temporary Profits of the Company, or to hazard, for ever, the Exiſtence of all that they poſſeſs for the Sake of retaining them. It will be impoſſible, at the ſame Time, to provide for the vaſt Expence which will be required for the Subſiſtence and Defence of both your other Preſidencies, and for an Inveſtment, in Addition to the increaſing Exigencies of this Government, and all from its own unaſſiſted Reſources.

" We have been already reduced to the mortifying Extremity of borrowing Money at Intereſt, by which we have raiſed the Sum of 64,44,601 : 1 : 6. This Reſource cannot laſt—it muſt ceaſe at a certain Period, and that perhaps not diſtant; but the Exigency which called it forth will ſtill remain the ſame, and muſt be anſwered,

" We have no other Fund from which we can defray it, with the preſent Appropriation of our Means; for, excluſively of the foreign Calls, our own internal Expences have accumulated, and will yet increaſe, notwithſtanding all the Care and Œconomy that we may uſe to check them, as we muſt replace all the Native Troops which we have detached to the Relief of the Carnatic; and as it is to be apprehended that our Revenue may ſuffer by the large Drafts which we ſhall be obliged to make of our Current Specie. (*a*)

(Signed at the End)

" Fort William,
2d December 1780.

" Warren Haſtings."

The Counſel for the Defendant informed the Houſe, they ſhould next read Six Letters from Mr. Middleton's Letter Books, to ſhew the Diſtreſs of the ſeveral Corps on Service at this Period; their Applications and Orders, to Mr. Middleton to aſſiſt them in their Exigencies, and his Inability to afford the Supplies he was required to provide for the Service of the Troops at Benares.

Read, from Mr. Middleton's Letter Book A, the following Letter from Colonel Morgan to Mr. Middleton, dated the 12th December 1780, beginning at Page 24 of the ſame Book.

" To Nathaniel Middleton, Eſquire.

" Sir,

" Captain Dennis, my Brigade Major, will preſent you with this.

" As you have not ſent any Money for the Payment of the Troops under my Command, who, both Europeans and Sepoys, are Three Months in Arrears, and the Paymaſter informing me, that you have not provided any Supplies for the Purpoſe, or made any Reply to his many Applications, authoriſed by me, I am reduced to the Neceſſity of this Mode of Application; and I beg Leave to refer you to Captain Dennis, who will more fully ſet forth the diſagreeable Neceſſity that both Officers and Men labour under, which, I hope, will be productive of a ſpeedy Supply, as I cannot be anſwerable for the Conſequences of a further Delay.

" I have the Honour to be,
Sir, &c.

" Camp Cawnpore,
December 12th 1780.

" Ja^s Morgan."

Read, alſo, the following Letter from Colonel Muir to Mr. Middleton, dated the 23d February 1781, beginning at Page 65 of the ſame Book.

" To Nathaniel Middleton, Eſquire.

" Sir,

" It is with Concern I find myſelf again under the Neceſſity of addreſſing you on the Subject of Money, but the very diſtreſſed Situation of the Troops under my Command obliges me to it; and from the Infantry Paymaſter's Information to me this Morning, I am given to underſtand he will not, from the Bills you ſent him, collect a Sum exceeding S^r R^s 70,000 — —, by the Firſt of the enſuing Month. This will ſtill leave a Balance of the December Abſtracts unpaid; nor does he expect the remaining Bills tranſmitted him, will be paid before the 15th of March. Beſides, I muſt further obſerve, that you ſupplying the Diſburſement of my Detachment by Bills on Furrukabad, is a Mode, which from the impoveriſhed State of the Place, I am convinced will ever be productive of Diſappointments.

" Your Letters in Reply to former Applications, gave me Hopes of a plentiful Supply of Money, under Charge of the Company on Duty with you, long before now; but not being favoured with Advice of it's Diſpatch, nor the Cauſe of it's Delay, leaves me in a State of anxious Suſpenſe.

" By private Letters from the General's Family, received this Morning, I expect my Orders of March by next Dawk; I muſt confeſs that the fatal Conſequences which may be reaſonably expected from Troops ordered on Service and Three Months in Arrear, ſtrike me with Apprehenſions I wiſh to conceal; in ſhort, Sir, they now are almoſt in a ſtarving Condition, and I am ſorry to ſay, without a Proſpect of any immediate Relief, for Want of a Circulation of Caſh in my Camp; the Bankers have it not in their Power to purchaſe and bring in the uſual Supplies of Proviſions; unleſs therefore you have it in your Power to fall on ſome Means of furniſhing me with an immediate Supply of Money, I can expect nothing but daily and conſiderable Deſertions. Here I cannot help taking the Liberty to obſerve that, excluſive of the Supply applied for in my former Eſtimate, and to which Amount you inform me you have (though I am ſorry to ſay at a long Sight) made Proviſion, Orders on the Collector of Furruckabad, and the Farmer of the Doale, for a Sum ſufficient to defray another Month's Diſburſements, would be a Meaſure through which I ſhould hope for more punctual Payments than by Drafts on the

(*a*) Vide Appendix, N° CCXLVII.

Furruckabad

Furruckabad Shroffs. Permit me, Sir, to entreat that you will not only diſpatch the Company without Delay, with as much Money as you poſſibly can ſpare, but that you will alſo tranſmit me Orders on the Collector here, or the Aumil, for a further Sum of Two Lacks, or adopt ſuch other Mode of Remittance as you may judge moſt efficacious to ſupply my Wants.

" As I am given to underſtand my Route is to be acroſs the Jumma by way of Stayah, I ſhall be very happy to be furniſhed with Bills on that Place, and which I doubt not Almoſs Ally Khan will be able to negociate with great Conveniency to himſelf.

" Futty Ghur, " I am, Sir, &c.
23d February 1781. " G. Muir."

Read, the following Letter from Colonel Muir, to Mr. Middleton, dated the 10th March 1781, beginning at Page 76 of the ſame Book.

" To Nathaniel Middleton, Eſquire.

" Sir,

" By Letters I received Yeſterday expreſs from Colonel Camac, Major Popham and Captain Palmer, I am ſorry to inform you, that Colonel Camac deſcribes himſelf in a moſt diſtreſſed Situation, and apprehends the moſt fatal Conſequences to his Detachment, unleſs immediate and vigorous Meaſures are taken for his Relief. Major Popham, and Colonel Palmer write me in the moſt preſſing Terms, to march my whole Detachment with as little Delay as poſſible; and give it as their Opinion, that a leſs Force will not be ſufficient to effect a Junction.

" I have addreſſed the Commander in Chief, and Colonel Morgan on this Buſineſs, and have no doubt of receiving their Orders conſonant to the Urgency of the Service and my own Wiſhes; which latter do moſt certainly lead me to afford the moſt immediate Aſſiſtance to Colonel Camac and his Detachment. I ſhall in conſequence, in the mean Time, march the Troops under my Command to the Banks of the Jumna; and ſhould I not, on my Arrival there, receive ſuch favourable Accounts of Camac's Situation as to render my croſſing unneceſſary, I ſhall in that Caſe think myſelf juſtified in making forced Marches without waiting the Commander in Chief's Orders for that Purpoſe, being of Opinion that my Delay in the preſent critical State of Colonel Camac's Situation may be productive of the moſt fatal Conſequences.

" Having thus communicated to you my Sentiments, and the Meaſures I have determined to purſue, I muſt in the next Place beg Leave to obſerve, that the Succeſs of this and every other Service, where the Troops have to look to you for Subſiſtence, will, in a great Meaſure, depend on your Exertions: Allow me, then, to requeſt you will order the Subadar laſt diſpatched to you for Treaſure to join me with all poſſible Expedition; and, ſhould I croſs the Jumna before he joins, acquaint him that I will leave a further Force at Etayaw, to enable him to come on with Safety; but for my future Supplies, I muſt rely on you for the beſt Mode of furniſhing me. I calculate the Diſburſements of my Detachment at Two Lacks per Month; and, ſhould the Nature of the Service render my advancing to any Diſtance neceſſary, a Supply for Two Months at leaſt, excluſive of the Money you are now diſpatching, you will not, I flatter myſelf, deem an unreaſonable Demand: And, as I cannot expect to receive it in Specie from you, ſhould I advance to any Diſtance, I hope you will find it convenient to procure and remit me Drafts immediately, either on Etayn or Gohud, for Four Lacks, from either of which Places I will find it no Inconvenience to convey the Money when realized, by Eſcorts from Major Popham, Gloalior or Gohud; but, ſhould you find it more convenient to ſend a Supply in Money, Major Rawſton, who, with his Regiment I leave for the Protection of my preſent Cantoonments, will, on your Application, furniſh an Eſcort.

" Futty Ghur, " I am, Sir, &c.
10th March 1781. " G. Muir."

Read, from Mr. Middleton's Letter Book C, already delivered in, the following Letter from the Board to Mr. Middleton, dated 6th July 1781.

" To Mr. Nathaniel Middleton,
Collector of the Vizier's Aſſignments to the Honble Company.

" Sir,

" The Troops at Chunar, and thoſe under the Command of Major Popham, being greatly in Arrear, we deſire that you will furniſh Mr. Markham, the Reſident at Benares, from the Treaſure which may be in your Hands, with as much Caſh as will be ſufficient to enable the Paymaſters to diſcharge the ſame. He has been directed to call upon them for Eſtimates of the Sums required. In caſe you are unable to comply with this Order, we deſire you will immediately acquaint Mr. Markham thereof, that he may inform the Paymaſters that you cannot ſupply the Sums wanted.

" We are, Sir,
Your moſt obedient
humble Servant
(Signed)
" Edwd Whele

" Fort William,
the 6th July, 1781.

Read, from Mr. Middleton's Letter Book E, already delivered in, the following Letter from Mr. Middleton to Mr. William Markham, dated the 22d July 1781.

" To Mr. William Markham, Reſident at Benares.

" Sir,

" I have juſt received an Order from the Board, to aſſiſt, if it ſhould lay in my Power, to diſcharge the Arrears due to the Battalions at Chunargur and Mirzapore, and to give you Notice of what Proſpect I may have of being able to fulfil this Order.

" I muſt therefore take the Libetty to inform you, that at this Moment my Ability to do it, from the Funds I poſſeſs, is utterly out of the Queſtion, as it is with the greateſt Difficulty that I can ſatisfy regularly the Claims for Money as they come in from the Camps in theſe Provinces; and further, that I do not foreſee any Probability of theſe Circumſtances altering, as my Reſources have been calculated as nearly as poſſible to my Diſburſement; and nothing but the greateſt Strictneſs and Regularity can enable me to fulfil my moſt indiſpenſible Engagement. However, ſhould any more favourable Appearances occur, I ſhall not fail to inform you of it.

" I have the Honour to be,

" Lucknow, the 22d July 1781. " Sir, &c."

Read, alſo, from Mr. Middleton's Letter Book A, already delivered in, the following Extract of a Letter from Colonel Morgan to Mr. John Middleton, beginning at Page 161 of the ſame Book.

" To John Middleton Eſq. Acting Collector, &c.

" Sir,

" I requeſt that you will be pleaſed to collect as much Money as you poſſibly can, and ſend it to this Station, under an Eſcort from Major Roberts's Regiment; for I have ſent down all the Caſh that was here to Chunargur with Major Crabb, to releaſe and aſſiſt the Garriſon therewith; and the Want of Money to pay the Troops and procure Proviſion with, at ſo ſerious a Criſis, may prove of very dangerous Conſequence. I am greatly ſurpriſed that I have not received the leaſt Intelligence from your Brother, or from the Nabob, on ſuch an Occaſion.

" Aug. 30th. " I am, Sir, &c.

" J. Morgan."

The Counſel for the Defendant ſtated, That having ſhewn the Communication of the Firſt Demand made upon the Rajah Cheit Sing to the Court of Directors, on a former Day, they ſhould now proceed to ſhew the Communication of the ſubſequent Demands; for which Purpoſe they begged Leave to refer the Houſe to a Letter from the Board to the Court of Directors, dated the 14th January 1780, received by the Swallow, and already given in Evidence (*a*) by the Managers for the Commons, wherein the Demand made in the Year 1779 was communicated by the Board, and would proceed to ſhew the Receipt of that Letter by the Court of Directors.

Read, from Book 641, the following Extract of a Letter from the Court of Directors to the Board, dated the 11th January 1781:

" Our Governor General and Council at Fort William, in Bengal.

" Par. 3. We have received your Advices by the Ships Swallow, Southampton, and Naſſau, agreeable to the reſpective Liſts of the Packets from your ſeveral Departments.

" London,
11th January 1781.

" Thos Cheap,
Jno Michie,
Nathl Smith,
John Harriſon,
W. Mills jun^{r},
H. Fletcher,
Ben. Booth,
W. G. Freeman,
" W. Devaynes,
L. Sulivan,
Jno Woodhouſe,
Wm James,
Chas Boddam,
Richd Becher,
J. Stables,
L. Darell."

To prove that the Subſidy and the Demand of Cavalry, in the Year 1780, were communicated to the Court of Directors,

Read, from Book 560, the following Extract of a general Letter to the Court of from the Secret Department of the Board, dated Fort William, 29th Novem- beginning at Page 157 of the ſame Book.

(*a*) Vide ſupra, Page 90.

" To the Honble. the Court of Directors for Affairs of the Honble. United Company of Merchants of England trading to the Eaſt Indies.

" Honourable Sirs,

* Sic in Orig. " Par. 35. Our Endeavours have been excited to obtain for * the Nabob Vizier complete Payment of the Company's whole Demand upon him for the laſt Year, but without Effect. The Diſtreſſes of his Situation, and his Inability to attend to the Requiſitions made of him, were deſcribed in ſo ſtrong Colours, that we have been obliged to relax, in ſome Degree, from our Demand upon him for the preſent, though not without an Expectation that the Claims of the enſuing Year will have been entirely provided for, together with the Debt of the foregoing at the late Settlement. Having ſtrongly recommended to Mr. Purling to urge his Excellency to the Diminution of ſome large and unneceſſary Expences, which we obſerved in a State of his Finances tranſmitted to us, we truſt that the Advice given him will have a good Effect, and that better Œconomy for the future, will enable him to diſcharge his entire Debt to the Company, without Diſtreſs to himſelf. Mr. Purling has lately remitted to us the Sum of Five Lacks of Fyzabad Rupees, which is ſafely arrived here, and placed in our Treaſury.

Conf. 3d and 30th April.

" 36. We have thought it neceſſary to require from the Rajah of Benares the ſame Subſidy for the enſuing Year that he paid in the laſt, as his Proportion in the Expence of the War. He for ſome Time heſitated to comply with the Demand, and we were obliged to reſolve on Meaſures of Compulſion; but he has ſince paid the Amount, and we have ſtopped the Execution of thoſe Meaſures. The Support which he receives from this Government, to whom he owes all that he poſſeſſes, the known Affluence of his Circumſtances, notwithſtanding his Pretext to the contrary, and the Intereſt which he poſſeſſes in Chief over all other Perſons ſubject to us, in the Company's Proſperity and Succeſs, have induced us to require of him the Aſſiſtance of ſuch a Body of Cavalry as he can ſpare for the Company's Employ, under a Promiſe made to him that their Services will not be required beyond the Continuance of the War. We have alſo ſtrongly recommended to the Nabob Vizier to require from Fyzoola Cawn, the Quota of Troops, conſiſting of 5000 Horſe, ſtipulated by Treaty to be furniſhed by the latter, and we do not doubt of his ready Obedience to the Requiſition.

(Signed at the End)

" Fort William,
the 29th November 1780.

" Warren Haſtings,
Edward Wheler."

To prove the Receipt of the laſt-mentioned Letter,

Read, from Book 42 already delivered in, the following Extract of a Letter from the Honble. Court of Directors to the Board, dated the 25th January 1782.

" Our Governor General and Council at Fort William in Bengal.

" 2. By the Ships, Duke of Grafton, Walpole, True Briton, and Fox, which happily arrived from St. Helena in Company with the 14 other Ships, mentioned in the accompaning Liſt of Arrivals and Departure of Shipping; we received your Advices in the different Departments, viz. General Letter, Civil, and Secret Departments, dated 29th November 1780.

(Signed at the End of the Letter)

" London,
the 25th January 1782.

" We are
Your affectionate Friends,

" L. Sullivan,
Wm James,
Jno Woodhouſe,
John Roberts,
John Manſhip,
W. G. Freeman,
W. Benſley,
Thos Parry,
Thos Cheap,
John Hunter,
John Smith,
John Harriſon,
L. Darell, junr,
J. Townſon."

The Counſel for the Defendant ſtated, they ſhould next proceed to prove the Tranſmiſs of the above Diſpatches to His Majeſty's Miniſters at Home in Obedience to the Directions of the Act of the 13th Geo. III, C. 63, Sect. 9; for which Purpoſe they deſired Mr. Owen might be called in;

Mr. OWEN was accordingly called in; and, being ſworn, was examined as follows:

Q. Whether the Letter of the 17th of Auguſt 1778, the Letter of the 14th of January 1780, and the 29th of November 1780, were tranſmitted in the regular Courſe, and received by His Majeſty's Miniſters and Secretaries of State at the Time?

A. The Letter from Bengal to the Court of Directors, dated 17th Auguſt 1778, was ſent by the Eagle on the 11th of April 1779; in the Liſt of the Packet by that Ship of the Letter to the Court of Directors, ſent for His Majeſty's Secretary of State;

Copy was accompanied with a Note from the Chairman and Deputy Chairman of the East India Company.

Q. Whom was it tranſmitted to?

The Witneſs produced a Paper indorſed "15th April 1779, Note to Mr. Robinſon, Sir S. Porten, tranſmitting Extracts of Advices received from Bengal (3)," and read from the ſame as follows:

"The Chairman and the Deputy Chairman of the East India Company, preſent their Compliments to Mr. Robinſon, Sir Stanier Porten, with Copies and Extracts of the Company's Advices received from Bengal, which they requeſt Mr. Robinſon, Sir Stanier will preſent to Lord North, Lord Weymouth."

"East India Company,* the 15th April 1779. * Sic in Orig.

Q. Now inform the Houſe as to the Subſidy of the next Year; The Diſpatches containing the Intelligence of the Second Demand, in the ſubſequent Year 1779?

A. The Letter adviſing the Second Demand on Cheit Sing, was adviſed in a Letter from the Governor General and Council, in their Secret Department, to the Court of Directors, dated 14th of January 1780.—A Copy of that Letter was forwarded to Adminiſtration on the 2d of Auguſt 1780.—I have a Draught of the Note tranſmitting Copies and Extracts of the Company's Advices, and the Draught of the Liſt of Papers accompanying the Note.

Then the Witneſs produced a Paper indorſed "2d Auguſt 1780, Note to Mr. Robinſon, Sir Stanier Porten, tranſmitting Copies and Extracts of Advices lately received from Bengal per Swallow, (749)" and read as follows:

"The Chairman and Deputy Chairman of the East India Company, preſent their Compliments to Mr. Robinſon, Sir Stanier Porten, with Copies and Extracts of the Company's Advices, received from the Governor General and Council at Fort William in Bengal, by their Ship Swallow, which they requeſt Mr. Robinſon will preſent to the Right Honble. Lord North, The Earl of Hillſborough."

"East India Houſe, the 2d Auguſt 1780.

Q. Was it tranſmitted to both Lord North and the Earl of Hillſborough?

A. Yes.—There was but One Draught, and, in making out the Letters, the Names were changed as Occaſion required.

Then the Witneſs produced a Paper, intituled, "Liſt of Papers tranſmitted to Mr. Robinſon and Sir Stanier Porten," and read from the ſame as follows:

"Liſt of Papers received by the Court of Directors of the East India Company, from the Governor General and Council at Fort William in Bengal, by the Company's Ship Swallow, preſented to the Right Honble. Lord North, the Earl of Hillſborough."

Then the Witneſs ſaid,

Among other Articles in the Liſt is deſcribed a Copy of the Letter—I will read the Two preceding Articles.

Then the Witneſs read from the ſame as follows:

"[illegible]etter from the Governor General and Council in Bengal, in their Secret Depart[illegible] to th[illegible]of Directors, dated the 3d March 1780.
[illegible]ony of a Letter from D° D° to D°, dated the 24th January 1780.
[illegible] Letter from D° D° to D°, dated the 14th D°."

[illegible]form the Houſe reſpecting the Letter of the 29th November 1780, containing the [illegible] laſt Year, namely, of both the Subſidy and the Cavalry?

[illegible]y of that Letter was tranſmitted to Adminiſtration, with a Note from the Chairman [illegible]rman, dated 1ſt November 1781.

Q. By

Q. By Adminiſtration, you mean the Secretary of State and the Firſt Lord of the Treaſury?
A. Lord North and the Earl of Hillſborough.

Then, the Witneſs produced a Paper indorſed "1ſt November, Note to Sir Stanier Porten, Mr. Robinſon, tranſmitting Advices lately received (592 B.)," and read as follows:

"The Chairman and Deputy Chairman of the Eaſt India Company, preſent their Compliments to Mr. Robinſon, Sir Stanier Porten, and have the Honour to tranſmit Copies and Extracts of the Company's Advices lately received from Bengal, Fort St. George, Canton, and St. Helena, which they requeſt Mr. Robinſon, Sir Stanier Porten, will lay before Lord North, the Earl of Hillſborough, for his Lordſhip's Information.

"Eaſt India Houſe,
the 1ſt November 1781."

Then the Witneſs produced a Paper, entitled, "Liſt of Papers received by the Court of Directors of the Eaſt India Company from Bengal, Fort St. George, Canton, and St. Helena, tranſmitted by them to Lord North, the Earl of Hillſborough," and endorſed "Liſt of Papers tranſmitted to Mr. Robinſon and Sir Stanier Porten."

Then the Witneſs ſaid,

This is the Draught of the Liſt, wherein, among other Articles, is:
"N° 3. Copy Letter from the Governor General and Council of Bengal, in their Secret Department, to the Court of Directors of the Eaſt India Company, dated the 29th November 1780."

The Witneſs was directed to withdraw.

The Counſel for the Defendant informed the Houſe, they had now completed their Evidence upon this Subject, and ſhould proceed to a new Head of Evidence, namely, the Subject of the Police; and in the Firſt Place, to prove that One of the Conditions upon which the Rajah Cheit Sing held his Zemindary, was to keep a well regulated Police, they would read an Extract from the Sunnud granted to the Rajah, already given in Evidence by the Managers for the Commons. (*a*)

Read, the following Extract from the printed Minutes, Page 184.

"He is not to be in the ſmalleſt Particular remiſs in the Obſervation and Execution of the ſeveral Duties incumbent on him; he is to behave with Moderation and Kindneſs to the Reyots and People, to promote the Cultivation and Increaſe of the Inhabitants, and Produce of the Lands, expelling Thieves, nightly Aſſaulters, and Robbers, and ſo effectually puniſhing the Diſturbers of the Peace, that no Trace of them may be ſeen."

To ſhew, that in Breach of the above Condition, the Police was univerſally bad,

Read, the following Extract from the printed Minutes, beginning at P. 229 of the ſame.

"To Thomas Graham, Eſquire, Company's Reſident at Banaris.

"Sir,

"From the many contemptuous and diſreſpectful Letters and Meſſages received in anſwer to the different Applications made by me to the Fougedars, Aumils, Zemeedars, &c. of Cheit Sing's Country, on various Subjects, I find myſelf obliged to addreſs you in this public Manner, in Hopes of Redreſs from your Repreſentation to the Rajah; and in order to ſhew [illegible] Diſinclination to aſſiſt the Company, or oblige me, I ſhall here mention the He[illegible] Circumſtances as I have had occaſion to write to them upon. About Sixte[illegible] ago, a Boat with Two Twenty-four Pounders, belonging to the Honoura[illegible] pa[illegible] Chunar, was ſunk a little above Beerpoor on the Ground belonging to the Villa[illegible] conſequence I applied to the Zemeedar of Beerpoor to aſſiſt me in endeavouring to [illegible]

(*a*) Vide ſupra, Page 184.

at the ſame Time promiſing a Reward to ſuch People as he could let me have. Inſtead of complying with my Requeſt, he returned me an inſolent Anſwer, ſaying, He had ſeen many Fringees; who was he? (meaning me); that he was Rajah Bahadre's Servant, not mine, and would therefore give me no Aſſiſtance without his Orders.

" I then wrote to the Fougedar of Imaumabad; who made a Shew of Aſſiſtance, by ſending Thirty or Forty Men. As they could be of little or no Uſe, I collected together, from Buxhar and Boojpoor, as many as I poſſibly could, with whom I went and examined the Spot, and found it impracticable, from the Rapidity of the River, at that Time to weigh the Guns, had I been ſupplied with the Number of People required. On my making known to the Board the Impoſſibility of their then being got at, I was ordered to fix a Buoy to the Boat, and poſt a Guard on the Banks neareſt to the Place, in order to prevent its being cut away, in Hopes the Courſe of the River might alter ſufficiently this Seaſon to admit of their being taken up. I gave the Command of the Guard to a Naick, who formerly reſided at the Village of Seerpoor, as I thought him the likelieſt Perſon to get the Aſſiſtance of the Country People when I might want them. The Naick came to me about a Month or Six Weeks ago, and informed me the Buoy and Maſt were cut away in the Night by ſome of the Mullahs, either of Seerpoor, Beerpoor, or Barrow; that if I would permit him to go and reſide amongſt thoſe People for a Week or a Fortnight, he would find out who cut it away, and by what Authority, as he had Reaſon to ſuſpect the different Zemeedars, having previouſly heard that ſuch a Thing was in Agitation. I permitted him to go; and in Ten Days he returned, and informed me, Two Mullahs belonging to one of the Villages told him, they knew the People, but it was as much as their own and their Families Lives were worth to divulge it, as the Zemeedars had threatened the Life of any Perſon who ſhould inform the Fringees, adding, the Guns would be uſeful to themſelves, as the Engliſh would not poſſeſs the Country long. I wrote to the Fougedar Buckt Sing Toukaury, of Serinja Pergunnah, and Meer Auſſin Ally of Imaumabad Pergunnah, to deliver up the Mullahs of the different Villages, at leaſt thoſe who had cut away the Buoys. In conſequence I obtained an Order on the Zemeedars and Cutwalls for their being delivered up; but the Cutwall of Imaumabad refuſed, ſaying, He did not know me; that if I wanted them, or any Thing elſe, I ſhould fight him for it before I ſhould have it; at the ſame Time collecting a Mob, he drew his Sword, and made a Cut at one of my People, which he defended with his Firelock, or would moſt probably have been killed. Upon this being reported to me, I ſent a Party of Sepoys, with Orders not to make any Diſturbance, but if any Reſiſtance was made, to bring the Cutwall a Priſoner to me. Before the Sepoys could get there, the Mullahs were ſent; but thoſe who gave the Information to the Naick, and which were the People I wanted, were not among the Number; upon my enquiring where they were, I was told that one was dead, and the other gone to Calcutta.

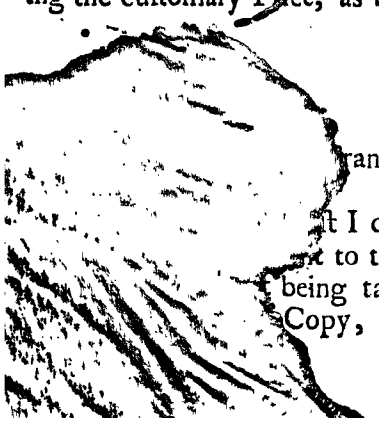
" The Practice of drawing their Swords upon my People is very frequent. Whenever I have Occaſion to ſend them into the Country, either for Proviſions, Bamboos, Straw, or any other Article I may want for my Garriſon, or the Troops under my Command, although I write to them in the moſt polite and civil Manner for the ſmalleſt Article, and never ſuffer any Perſon under me to take the Value of a Straw without paying for it; notwithſtanding which, they will not ſupply me with any Thing by Conſent, but, on the contrary, abuſe my People in the moſt groſs Manner; and frequently, when the Gentlemen belonging to this Station have ſent their Servants to purchaſe Things, they have been beat in a moſt cruel Manner.

" The Zemeedars of Narainpoor, Beerpoor, and Chouſah, make a common Practice of ſtopping Boats, although they have regular Rowannahs and Paſſports from Government. On my ſending to know the Reaſons for their detaining them, they make uſe of the moſt diſreſpectful Invectives againſt the Company and me; particularly the Zemeedar of Narainpoor, who not long ago confined one of the Chowdries of Buxar for Nineteen Days in Irons, and made him pay for another Man Fifty-three Rupees. Upon my writing him on the Subject, to know why he confined him, he drew his Sword on the Sepoy I ſent, and returned a verbal Anſwer, that if the Chowdry came on his Side the River, he would cut his Noſe and Ears off, and make him pay as much more.

" Indeed, from the many Inſtances I have experienced of the Inſolence of the ſeveral Zemeedars, and the many Complaints I have made to their different Fougedars of them, I have every Reaſon to believe they are encouraged by them. I ſhall therefore conſider myſelf obliged by your procuring for me from the Rajah, an Order for ſuch Articles as I may have occaſion for, on my paying the cuſtomary Price, as by that Means it will prevent any further Trouble.

" I have the Honour to be, &c.

Iſaac Eaton, Capt. commanding."



rantis Fowke, Eſquire, Company's Reſident at Banaris.

t I did myſelf the Pleaſure of addreſſing you on a Subject, which I con- to the Company, or at leaſt to me, as it ſtruck at their Authority. as well being taken notice of by you, I ſhould ſuppoſe it had not come to hand, and Copy, and beg you will on Receipt hereof intereſt yourſelf with the Rajah,

to give me ample Satisfaction for ſuch Behaviour, otherwiſe, in Support of my own Conſequence, I ſhall be obliged to apply to the Board for Redreſs, or for Leave to do myſelf Juſtice; for at preſent the Inhabitants of this Country are in ſuch a rebellious State, that within a Mile of me they refuſe to ſell the ſmalleſt Article wanting either for myſelf or for the Troops under my Command, notwithſtanding I addreſs them in the moſt polite Manner, by Letter, for the moſt trifling Thing. It is but Yeſterday the Zemeedar of Narainpoor treated me with the greateſt Contempt, by throwing a Letter I ſent him, on the Ground, and treading on it. The Contents were to requeſt he would ſend Two or Three Dookaundars with Grain, &c. &c. for the Uſe of Captain Crawford's Detachment. The Zemeedar at the ſame Time made uſe of the groſſeſt Abuſe againſt me and the People I ſent, telling them, he could raiſe Four hundred men; that if the Fringees wanted any Thing, they ſhould fight for it. This Kind of Conduct, if not ſoon put an End to, will be productive of Bloodſhed; for it is impoſſible in my Situation, let what will be the Conſequence, to ſuffer it, or the People under my Command will be ſpit at as they paſs through the Country, and myſelf inſulted at my Fort Gates. Your ſpeedy Reply will much oblige.

" Sir, &c.

" Buxar, 3d November 1780. Iſaac Eaton, Captain commanding."

Read, from Book 582, the following Letter from Sir Eyre Coote, to the Reſident at Benares, dated the 1ſt Auguſt 1780, with the Encloſures in the ſame.

" To Francis Fowke, Eſquire.

" Sir,

" Encloſed is a Petition from the Brother and Son of a Soubahdar, who was killed within the Limits of the Zemindary of Rajah Cheyt Sing. I have been informed, that ſome Inquiry has been made into the Circumſtances therein ſet forth; but requeſt the Favour of you, to exert your utmoſt Endeavours to render the Inveſtigation ſpeedy and effectual, and to procure full Redreſs for the injured.

" I am, Sir,
Your moſt obedient,
Humble Servant,
(Signed) " Eyre Coote."

" Chuprah, 1ſt Auguſt 1780.

" Petition of Birjbauſee Geer, and Umrougeer, the Brother and Son of Lutcher Munger.

(Received 28th July 1780.)

" Lutcher Mungeer Soubahdar was ſent by Captain Eaton, with Two Hundred Recruits, to Major Oſborn, at the Village Mulnapore, which is ſituated at the Diſtance of Two Days Journey from Benares, under the Government of Raja Chyte Sing: A Diſpute aroſe between the Gowars and Recruits regarding Coolies, and Three or Four of the Recruits were wounded. The Soubahdar had advanced before the Party at the Time of the Diſpute; but as ſoon as he heard the News, returned, and having pacified both Parties, proceeded to the Place of his Deſtination. After he had travelled the Diſtance of a Coſe, the Gowars were tumultuous on all Sides; and ſurrounding the Party, held themſelves in Readineſs, with Swords, Arrows, and Spears to renew the Battle. The Soubahdar made uſe of many Remonſtrances, which the Gowars diſregarded; and Ten Recruits died of Wounds which they received from Swords. The Soubahdar, though he offered no Violence, received a Wound from a Sword, of which he died at the Village Kerde, ſituated at the Diſtance of a Coſe to the Weſtward of Mulnapore. The Gowars killed Ten Recruits, and wounded Twelve. Thoſe who ſurvived fled, with Monſoram Jemaatdar, to Mr. Oſborn. The Gowars plundered a Hundred Rupees, which Captain Eaton had given for the Expence of the Recruits, and a Hundred Rupees which the Soubahdar had taken with him to purchaſe a Horſe; alſo Swords, Jewels, and Wearing Apparel, &c. This happened on the 1ſt of Bhadeen 1186 Fuſſilee, or Eleven Months ago. You are Maſter of the Country. The Family of the Soubaudar are in Diſtreſs. We hope that you will reſtore the Right to the deſerving, and patronage the Family of the late Soubahdar.

(A true Copy.)

(Signed) " H. Va[illegible]
Perſian Interpreter to the Com[illegible]"

Read, alſo, from the ſame Book, the following Letter, fro[illegible] the Reſident at Benares.

" To Francis Fowke, Eſquire.

" Sir,

" Finding myſelf under the Neceſſity of complaining againſt Meer Su[illegible] of Bellua, in the Zemindarry of Rajah Cheyt Sing, I requeſt the Favour [illegible] both to redreſs the Grievance, and to prevent ſuch Conduct in future,

" Captain Eaton, the Commanding Officer of Buxar, detached Three Sepoys to the above-mentioned Village, which is ſituated near Buxar, on the Frontier of the Raja's Zemindarry, for the Purpoſe of receiving ſome Grain, for which he had advanced Money. But the Fougedar, without Provocation, abuſed them, and afterwards inſtigated his People to attack them with their Swords, in Conſequence of which all the Sepoys were wounded, and one ſo badly, that his Life is in Danger.

" The Merit or Demerit of the Sepoys is a Matter which is not now in Point. Admitting that they miſbehaved, the Conduct of the Fougedar merits the ſevereſt Puniſhment. For it was not only diſreſpectful to our Government, to diſgrace and wound them, but unneceſſary and irregular, as the Fougedar ſhould have complained to Captain Eaton, who would have afforded him ample Redreſs. But if * he Dividuals are permitted to reſiſt our Sepoys, every little Diſpute muſt be productive of Bloodſhed; when the End may be more effectually anſwered by a Complaint to the Commanding Officer, without the Riſque of the Lives of the injured, and without the Diminution of the Conſequence of the Sepoys, which it is the Intereſt of our Government to ſupport.

* Sic in Orig.

" I therefore requeſt the Favour of you, immediately to procure and tranſmit to Captain Eaton, a Perwanna, from the Raja, to the before-mentioned Fougedar, reprimanding him for his Conduct, and forbidding him, in the moſt poſitive Manner, to ſuffer any Violence or Reſiſtance to be offered to the Company's Sepoys, as he may always obtain Redreſs by complaining to the Commanding Officer.

" I am, Sir,
Your moſt obedient,
Humble Servant,
(Signed) Eyre Coote."

" Patna,
3d Auguſt 1780.

Read, alſo, the following Extract from the Printed Minutes, beginning at Page 231, of the ſame.

" To Captain I. Eaton, commanding the Fort of Buxar.

" Sir,

" I have but this Moment received your Favour of the 3d Inſtant. I am aſhamed to ſay, that the Original of the Copy which you incloſed, came to hand in due Time. All I can ſay in Excuſe for my Inattention, is a bilious Fever, from which I am now only recovering, and which, during its Continuance, totally incapacitated me for any Kind of Buſineſs.

" I will immediately apply to the Rajah in the Manner you deſire, and repreſent to him the Propriety of puniſhing and repreſſing the Inſolence of his Servants, and the Neceſſity of their aſſiſting the Commander in obtaining Supplies for his Garriſon: However, I think I can venture to predict, that a Recrimination is all the Redreſs I ſhall be able to procure; and I am convinced that the Interference of the Supreme Council is become abſolutely neceſſary to put a Stop to theſe Enormities. The Moment I receive the Rajah's Anſwer, I will give you the Subſtance of it.

" The Incloſed will inform you of what has already paſſed upon this Subject.

" As I have heard nothing from the Board upon this Subject, I conclude that my Letter has been paſſed over amidſt the Multiplicity of Buſineſs in which the General muſt have found himſelf involved on his Arrival at the Preſidency. I remain,

" Sir, &c.
F. Fowke,
Reſident."

" Banaris,
8th November 1780.

To ſhew the perverſe and daring Spirit ſubſiſting in the Natives, upwards of Nine Months before the Defendant went up to Benares, and that the Country was at that Time unſafe for Travellers by Land or by Water,

Read, the following Extract from the printed Minutes, beginning at Page 231.

" To Francis Fowke Eſq.

" Sir,

" I have received your different Favours, and have ſeen the Perwannah, which I am afraid will [illegible] no Effect, as the whole Country ſeems to be in a State of Ferment. So lately ago as [illegible] Three Gentlemen, who were proceeding to join the Army, were inſulted by the [illegible]poor, who not only beat and bruiſed their Servants, and afterwards robbed [illegible]of the Gentlemen with a Tulwar acroſs the Forehead, and other Parts of the [illegible]s a Manner, that he was ſent off from Buxar Yeſterday Morning, to have the [illegible]ledical Gentlemen at Patna; but as there is every Appearance of a Fracture, I [illegible]he will not recover. The other Two Gentlemen, after this ſhocking Accident, [illegible]nd propoſe remaining with me until they hear of Mr. Baſſet (the Gentleman [illegible]er he recovers.

" Both

" Both the Gentlemen ſay, the Stroke was made by the Zemedar himſelf; upon which I immediately diſpatched a Serjeant and Thirty Sepoys, who are juſt now reeurned, having brought along with them a Parcel of Black Fellows from Beerpoor; but as I have not as yet had Time to enquire into the Particulars, I am uncertain whether the Scrutiny will be attended with the deſired Succeſs: I am however reſolved to keep the People I already have in Confinement, Priſoners, until I am able to get to the Bottom of this infamous Affair. I requeſt you will inform the Rajah of my Reſolution, that he may take the proper Steps to have it cleared up; as this is not the only Inſtance of the daring and rebellious Spirit of the Natives in Cheit Sing's Diſtricts. The Incloſed will ſhew you a new Species of Fraud and Extortion, committed by Myup Sing, the Paranparaha Zemeedar, who takes upon himſelf the Collection of Duties on Boats paſſing his Station. The Serang, from whom he ſqueezed Money, has given me the incloſed Account of the Matter, drawn up by himſelf, and to which I refer you; and am,

Sir, &c.

" Buxar,
17th November 1780.

" Iſaac Eaton,
Captain Commanding."

" To the Honourable Warren Haſtings Eſquire, Governor General, &c. Council.

" Gentlemen,

" As I have ever conſidered it as an eſſential Duty incumbent on me, as commanding at this Station, to give every Information in my Power, reſpecting the proper and regular Manner of diſtributing Juſtice, and preventing oppreſſive Acts and Irregularities, to the Honourable Board; I have embraced this Opportunity of communicating a Piece of Intelligence, which, from the flagrant Circumſtances and daring Spirit of the Natives in this Part of the World, requires the moſt ſerious Attention of the Honourable Board.

" So very lately as the 14th of the current Month, Three Gentlemen, viz. Enſigns Irviné, Horne, and Baſſet, being on their Way to join the Army, were ſtopped by theſe Freebooters at Beerpoor, a Village diſtant from Buxar only Three Coſs. The Zemeedar, at the Head of a numerous Gang, endeavoured and was very aſſiduous in picking a Quarrel with the Gentlemens Servants, Two or Three of whom they cut down with Tulwars, and afterwards robbed a Baggage Boat. Not yet ſatisfied with ſuch cruel and barbarous Treatment, the Zemeedar (as Two of the Gentlemen informed me) made a Stroke at Mr. Baſſet with a Tulwar, and cut him ſo deſperately acroſs the Forehead and other Parts of the Body, that he was brought back to Buxar, and immediately ſent away to Patna to have the Aſſiſtance of the Medical Gentlemen at the Station, though with very little Hopes of Recovery. The other Gentlemen are at preſent with me waiting the Iſſue. Immediately on receiving the above ſhocking Account, I diſpatched a Serjeant and Thirty Sepoys in Queſt of the Offenders; and Yeſterday the Detachment returned, and brought a Number of People Priſoners along with them, which I will loſe no Time in examining, and taking every other Step neceſſary to get to the Bottom of ſo daring an Inſult. So ſoon as I am able to inveſtigate the Matter thoroughly, I will take the earlieſt Opportunity of addreſſing the Honourable Board with the Reſult of my Enquiry.

" As this is not the only Inſtance of the daring and inſolent, I may almoſt ſay, rebellious Spirit of the Natives in almoſt every Diſtrict of Cheit Sing's Country, I have officially made repeated Applications to Mr. Fowke, the Reſident at Banaris, to repreſent thoſe Grievances to the Rajah, but hitherto without Effect.

" General Coote likewiſe addreſſed Mr. Fowke, in conſequence of my Complaint, a Copy of which I ſend incloſed; alſo Mr. Fowke's Anſwer to the General. Some ſhort Time afterwards, I had a Second Occaſion to addreſs Mr. Fowke on a Second Inſult; a Copy of which I likewiſe incloſe you, with his Reply.

" Since writing the above, I have juſt had a Third Complaint preferred to me againſt theſe People, by a Serang that was ſtopped by Myup Sing, the Paranpara Zemeedar, who threatened to murder him, if he did not immediately pay 100 Rupees Duty on a Boat belonging to Major Duff, which he at that Time had charge of, and was conducting to the Preſidency. The Account, as wrote by the Serang himſelf, and delivered by him to me, I have incloſed for your Peruſal.

" All theſe Circumſtances, properly conſidered, will evidently ſhew the great Neceſſity there is of ſpeedily falling upon ſome Means to put a Stop to ſuch outrageous Conduct, as at preſent there is no Safety for the Traveller either by Land or Water.

" I have the Honour to remain, &c.

" Iſaac E[illegible]

The Counſel for the Defendant informed the Houſe, That, thoug[h] the Letter laſt read, and which was taken from the Appendix to the P[apers] was not dated, it appeared from the Entry of it on the Public Co[nſultations] December 1780, in Book 33, to be dated " Buxar, 16th November [1780]

The Counſel for the Defendant ſtated, That they ſhould next read [a Letter] by the Defendant, to the Rajah Cheit Sing, on the Subject of the Po[pers] quence of Major Eaton's Complaints.

Read, from Book 33, already delivered in, the following Extract of a Conſultation of the 14th December 1780.

" Fort William, 14th December, 1780.

" At a Council; Preſent,
The Honourable Warren Haſtings Eſquire, Governor General, Preſident; Pub. Dept. Thurſday.
Edward Wheler, Eſquire.

Lieutenant General Sir Eyre Coote abſent on Command at the Preſidency of Fort St. George.

" The Governor General lays before the Board the Draft of a Letter which he propoſes to write to the Rajah of Benaras, in Conſequence of Captain Eaton's Repreſentation.

" To Rajah Cheit Sing.

" I have lately received Information from Captain Eaton, the Engliſh Officer commanding at Buxar, of ſuch Outrage and Diſturbance committed near that Station by the People ſubject to your Authority, as ſurprize me greatly.

" It is reported to me, that on the 14th of the laſt Month three Engliſh Officers, who were on their Way to join the Army, were ſtopped at the Village of Burpoore, and inſulted by a Gang of Robbers at that Place, that at the truely Inſtigation * of the Jem ut Dar * at their Head, there was a Quarrel with the Gentlemens Servants, two or three of whom they cut down with Tulwalls, and that afterwards a Baggage Boat was robbed; that not ſatisfied with this and † ſavage Treatment, the Zemendar made a Stroke at one of the Engliſh Officers with a Tulwall, and wounded him ſo deſperately, that when he was ſent to Patna to receive the Benefit of Medical Aſſiſtance, there were little Hopes of his Recovery. Shameleſs and daring as theſe Inſtances of Barbarity appear, and ſhewing as they do, the Weakneſs of your Controul over the Perſons ſubject to your Puniſhment, they are nevertheleſs not only the Proofs of the inſolent and rebellious Spirit of the Natives of your Zemindary. The Conduct of Meer Jaffier Ally, the Fouzdar of Bellia, is another Proof of the ſame Spirit; and I am ſurprized to underſtand that although you were deſired to do no more on the Occaſion, than to ſend your Perwannah to the Fouzdar to reprimand him for his Behaviour, and to forbid him from permitting any Violence or Reſiſtance to be offered to the Company's Sepoys; afterwards a ſtrong Applications ‡ made to you by our Reſident, at the Incloſure of Lieutenant General Sir Eyre Coote, had no Effect.

* Sic in Orig.

† Sic in Orig.

‡ Sic in Orig.

" The Inſolence of the Jemadar of Naracapa towards Captain Eaton, on the Requeſt made to him by the latter to ſend ſome Dokaundaurs with Grain, &c. for the Uſe of a Detachment of Engliſh Troops comanded * by Captain Crawford, is another Inſtance of the ſame Temper in the People of your Country.

* Sic in Orig.

" I do poſitively require and inſiſt, that on the Receipt of their Letter you do exert your Authority in ſeizing meer Jaffier Ally, the Fouzdar of Bellia, and the Jemadar of Narrainpore before mentioned, that you cauſe their Conduct to be ſtrictly enquired into in the Preſence of Mr. Fowke, who is ordered to have a Munſhi employed in taking down the Proceedings of the Inquiry, for the Purpoſe of tranſmitting them to me; and I do hereby declare that if the Fouzdar or Jamadar ſhould eſcape Confinement, or you ſhould not obtain Poſſeſſion of their Perſons, ſo that the Offenders may be brought to Juſtice, you ſhall anſwer the Event at your Peril. (*a*)

(No Signature at the End of the Letter)

(Signed at the End of the Conſultation)

" Warren Haſtings,
Edwd. Wheler."

The Counſel for the Defendant informed the Houſe, That being prevented by the Death of Major Eaton, which had happened during the Courſe of the Trial, from calling him as a Witneſs, they ſhould cloſe this Subject here.—That the next Point of the Charge ſtated the Allegations of the Defendant againſt the Rajah Cheit Sing, charging him with being diſaffected to the Company, and with aiming at Independency, to be extravagant, untrue, and incredible: They would therefore next proceed to prove the Truth of thoſe Allegations againſt the Rajah, by ſhewing his Diſaffection; for which Purpoſe they deſired Mr. Markham might be called in.

Acc[illegible] WILLIAM MARKHAM Eſquire was called in; and, being ſworn, [illegible]llows:

[illegible] with the Hand Writing of Mr. Graham, who was the Reſident at

(*a*) Vide Appendix, N° CCXLVIII.

Then ſeveral Papers were ſhewn to the Witneſs; and he was aſked?

Q. Are thoſe Letters of his Hand Writing?
A. There is One of the 8th March 1779.

Q. Is that the Hand Writing of Mr. Graham?
A. It is; and there is an Incloſure with it, which is alſo his Hand Writing. There is another of the 6th of April 1777; another of the 13th of May 1779; and another of the 19th of May 1779. They are all the Hand Writing of Mr. Graham.

The Papers abovementioned were delivered in.

The Witneſs was directed to withdraw.

Read, the following Letter and Incloſure, from the Reſident at Benares to the Governor General, dated March 8th 1777, as follows:

" Benares, 8th March, 1777.

" Dear Sir,

" I cannot expreſs to you how uneaſy it makes me, being ſo long deprived the Honor of your Inſtructions for the regulating of my Conduct: In Anſwer to this, you may ſay with Juſtice, that the Duties of my Appointment are ſo few and ſimple that they can hardly be miſunderſtood, or require your further Advice; this I readily acknowledge; but Matters ſometimes occur that I ſhould wiſh to communicate to you, but which I prevent myſelf the Pleaſure of doing, leſt they ſhould be ſuch as you would rather have me ſilent upon; and leſt they might ſeem to indicate on my Part an unfavourable Diſpoſition towards a Man for whoſe Welfare I believe you to have a Regard. However, a Circumſtance which happened a few Days ago, appears to me in ſo myſterious a Light, that I do not think I ſhould act the Part of a faithful Servant of the Government were I any longer to conceal it from you.

" The Rajah, Seven or Eight Days ago, ſent his Compliments to me, to inform me that he was going for Two or Three Days to be preſent at a Feaſt, which was to be given by One of his Devans, on the Completion of a Houſe and Tank he had built, ſituated about Six Coſs from Ramnagur. Here he accordingly went, but from whence, after ſtaying a very ſhort while, he ſet out, with Relays of Horſes, to Luttifgur, which is about Six Coſs further diſtant. From thence he is ſaid to have gone by the ſame Conveyances to Beechagur, his Strong Hold; where, as well as in all little Forts that lay * in the Roads leading to it, he has ordered Supplies of all Kinds of Stores, and what neceſſary Repairs may be wanting.

* Sic in Orig.

" In order that you may be the better enabled to judge how far ſuch a Circumſtance is worthy of Attention, I encloſe you a Paper, containing an Account of Two different Roads leading to the Fort of Beechagur.

" That the Rajah has any hidden Views in this Maneuvre, further than to provide for his own Safety in caſe of Accidents, I cannot bring myſelf to believe; but, as I conceive it to be contrary to our Syſtem of Politics, that a Subject of * Government ſhould render himſelf formidable even for his own Security; I think it is nothing more that what my Duty requires, to communicate it to you, in doing of which, I flatter myſelf, you will believe my Aſſurance, that I am guided by Motives neither of Enmity nor Reſentment, and that I have no other Inducement for giving you the Information, than to put it in your Power to interfere in the Matter, if you think it neceſſary or proper.

* Sic in Orig.

" I have been in Hopes for theſe Ten Days paſt, of forwarding to you the Anſwers of the Pundits, but in which I have been diſappointed; however I expect to have them in a Day or Two, as the Rajah's Vakeel has juſt informed me, that they are rendering into Perſian.

" I have the Honour to be, with much Reſpect and Eſteem,
Dear Sir,
Your moſt faithful and
much obliged humble Servant,
Thos Graham."

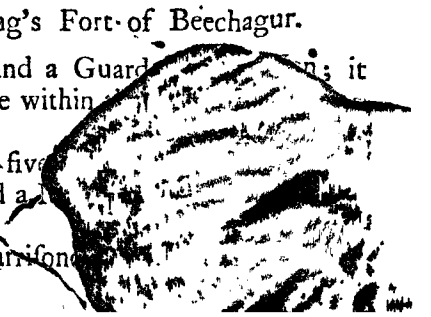
" The Honble. Warren Haſtings, Eſquire,
Gov. General, &c. &c."

" Account of the Road from Chunargur to Rajah Cheyt Sing's Fort of Beechagur.

" Satteſgur — 6 Coſs — In this Fort there are Four Guns and a Guard [illegible]; it is about a Mile in Circumference within [illegible] thither you croſs Two Mountains.

" Raje Gunge — 4 Coſs — In this Place is a Guard of Twenty-five [illegible] you again croſs Two Mountains and a [illegible] but high, and rapid in the Rains.

" Saw Gunge — 8 Coſs — At this Place is a ſmall Mud Fort, garriſon[illegible] Country leading to it is open.



" Coſſumbah — 7 Coſs — Here is a ſmall Fort built of Brick, fortified with Ten Guns and 300 Men.

" Mow Gunge — 3 Coſs — About a Mile from this Place there is a Bridge over the Gogra, and which you paſs in going to Beechagur, at which there is a Guard of Twenty-five Men. In coming hither from Coſſumbah you paſs Three Nullahs, at preſent dry, but rapid in the Rains.

" Beechagur — 1½ Coſs — Situated upon a Hill, in the Center of a Jungle, is ſurrounded with a Stone Wall about the Height of that of Chunar. It has one large Gateway ſituated to the Northward, to the Right and Left of which, on the Walls, are planted Eight Pieces of Cannon; to the Southward is a ſmall Gateway, through which none but the moſt truſty Servants are allowed to paſs; on the Right thereof there is One Gun, and on the Left Five; to the South Eaſt, in a Line with the Guard Houſe, are Four Pieces of Cannon on the Walls: Altogether there is about Forty Pieces of Cannon in the Fort. In Front of the great Gateway, near the Center of the Fort, is a Pucka Tank. To the Left Hand, as you enter, on the North Eaſt Quarter of the Fort, are ſeveral Apartments connected together, compoſing a Treaſury, a Zenana, and all neceſſary Office Houſes for the Rajah and his Family to dwell in; to the Left of theſe Buildings is a ſmall Pucka Tank for the Women to bathe in; to the Eaſt and Weſt of the Tank, in Front of the Great Gateway, are Two more Tanks; contiguous to the Weſtern Wall, is a Baith or Connah. To the Eaſtward, Southward, and Weſtward of the Fort, at the Diſtance of Three, Four, and Five Coſs, the Country is hilly, and the Space between, a thick Jungle. To the Northward, is a conſiderable Bazar, and the Country clearer and more level than on any of the other Sides. The River Soane is about Ten Coſs diſtant from the South Gate.

29½ Coſs.

" Road from the Rajah's Houſe, on the Ganges, to Beechagur.

" Putteelah — 8 Coſs — The Country leading hither is open and cultivated. Here is a Brick Fort, in which are Four Guns and Fifty Men; Circumference within the Walls about a Mile and a Half. About a Coſs diſtant is a Hill, on which a Place of Defence is cut out, and a Guard kept in it of 100 Men.

" Anrah Gunge — 1 Coſs — At this Place is a ſmall Fort, fortified with Four Guns, and guarded by 100 Men.

" Luttifgur — 1 Coſs — The Road from Amrah Gunge hither is a Sort of Paſs, and an entire Jungle. The Fort is ſmall, and built of Brick, has Four Baſtions, is fortified with Four Guns, and guarded by 200 Men.

" Loharah — 4 Coſs — At this Place is a Guard of Twelve Men. The Road from Luttifgur to it is jungly and mountainous.

" Beechagur — 14 Coſs — As far as the Diſtance of Six Coſs, from Loharah on the Road hither, the Country is open; the remaining Eight towards Beechagur is a continued Jungle."

28 Coſs.

To ſhew, that the Rajah Cheyt Sing was drawing Cannon and Ammunition, and collecting his Forces together, under Cover of the Night, as early as in the Year 1777,

Read, the following Letter, from the Reſident at Benares, to the Governor General, dated April 6th 1777, and already delivered in.

" Dear Sir, " Benares, 6th April, 1777.

" I did myſelf the Honour of addreſſing you, under Date the 8th ultimo. acquainting you with a [illegible]ah's Conduct, which I thought rather myſterious and unaccountable; and ſubmitting [illegible]udgment, to determine, whether it might be proper in any Shape to interfere [illegible]ave not yet had the Pleaſure of a Reply. Nevertheleſs, an Occurrence which [illegible], induces me again to addreſs you.

Practice to ride out of a Morning. In the Circle I took, I met Four apparently Braſs mounted on excellent Carriages, together with a the European Manner; and the Whole accompanied with a ſmall Party of

of Sepoys. Upon aſking who they were, from whence they had come, and whither they were going, they told me, that they had come from the Pergunnah of Azimgur; that they belonged to the Rajah, and were going to Ramnagur. This Circumſtance, though it wore no great Appearance of Suſpicion, yet it had the Effect of inciting my Curioſity; and upon my Return
† Sic in Orig. Home, I began to make further Inquiries; and was no leſs aſtoniſhed that * ſurpriſed to find, that for upwards of theſe Eight Days paſt, he has been drawing his Troops together, from all Quarters, and that, too, under Covert of the Night. And a Man, whom I ſent ſome Time ago to procure me ſome particular Kinds of Clothes, from Juanpore, writes me, that the Rajah has recalled moſt of his Troops, both Horſe and Foot, from that Diſtrict; and has given Orders for a conſiderable Quantity of Gunpowder to be manufactured, and ſent him to Ramnagur. Theſe
‡ Sic in Orig. Tranſactions I thought of Two ‡ ſerious a Nature, not to wiſh to be informed of the Meaning of them from one of the Rajah's Family; and as Byaram is his Confident, I have ſent for him. When he comes, I will let you know what Explanation he gives of theſe Movements. In the Interim, I will beg Leave to trouble you with ſome further Informations, and my own Sentiments thereon.

"The Removal of his Troops from the Moffuſſil at this Period of the Seaſon, is evidently incompatible with the Succeſs of his Collections, as the moſt valuable and conſiderable Crop of the
* Sic in Orig. whole Year is juſt now reaping, upon a * Security of which, from the Nature of his Engagements with his Renters, and which in general ſtipulate large Payments in Kind, muſt greatly depend the realizing of his Revenue. This proves that the Meaſures he is purſuing are diametrically oppoſite to his Intereſt, and that he muſt have ſome other Motives to influence his Proceedings; but what theſe can be I am utterly at a Loſs to divine, unleſs the Rumours of a French Invaſion have reached his Ears, and he has reſolved to provide for his own Security by garriſoning his Forts, to which he will retire, ſhould ſuch an Event be fulfilled. It has juſt come into my Mind, that ſuch Intimations may have been given him by a Frenchman who arrived here ſome Time ago from Lucknow, with Aſſuphul Dowlah's Perwannah, giving him Liberty to paſs through his Dominions unmoleſted to Patna. It ſeems however that ſome Boats of his with
* Sic in Orig. Merchandize coming from Gorrickpore had been ſtopd * by a Chokey of the Rajah's, on the Dewar, for Duties, on which Subject he had come to ſolicit his Indulgence. And though I know he has received his Anſwer from the Rajah, I underſtand he is ſtill loitering about the Place. In the little Converſation I had with him, I found out that he had been employed in the Carpenter Work in the Nabob's Arſenal, but had, as I imagined, in Conſequence of the Proſcription againſt his Excellency's entertaining Foreigners, been diſmiſſed his Employ. This, added to the Circumſtance of his proceeding towards Patna, made me pay no further Attention to him; however ſhould he not depart in a very few Days, I ſhall inſiſt upon the Rajah's ſeizing him, and ſending him down under a Guard to Patna.

If my Suſpicions of the Rajah's having obtained the Intimation of a French War through the above Channel are well founded, ſurely he has not acted the Part of a faithful Subject in not communicating it to me? On the contrary, his taking the Steps he does without aſking my Advice, gives us every Reaſon to doubt his Fidelity. I am the more inclined to put this Interpretation upon it, becauſe for theſe Five Days paſt he has not permitted Two Hercarrahs of mine, who I ſtationed with him to bring me any Meſſages, and to give me Information of his daily Proceedings, to enter his Durbar—Add to this, his holding frequent Councils in the Night with his Three Adviſers, Byaram, Caſhmery Mull, and Backraje, none of whom have I had the Pleaſure of ſeeing for theſe Five Days paſt.

I ſhould have been apt to have aſcribed the Rajah's Conduct to another Cauſe, had not I particularly intereſted myſelf in obviating his Apprehenſions. On the Arrival of Lieutenant Dawes at this Place, who is gone by the Orders of the Surveyor General on a Survey through the Hills, and to the Southern Boundaries of his Diſtrict; learning the Purpoſes of his Miſſion,
* Sic in Orig. he was alarmed, and applied himſelf to me; I begged to know his Wiſhes, and aſſured them * that as far as they could be complied with, conſiſtently with the Orders which had been given to Lieutenant Dawes, I would intercede for his Satisfaction. He firſt aſked, if his going into the Hills could be put a Stop to; I gave him for Anſwer that I did not conceive it could, nor could I pretend to propoſe it. He then expreſſed a Deſire that he ſhould not go into his Forts; to this I replied, I would learn the Extent of Lieutenant Dawes's Orders, and inform him hereafter. When Lieutenant Dawes came to ſee me, I accordingly enquired of him the Nature of his Orders, and finding that they did not expreſsly enjoin him to examine, or go into his Forts, I communicated to him the Rajah's Wiſh, which he readily complied with. Thus I was enabled very ſoon to allay the Rajah's Fears, and only requeſted of him, that he would uſe every Precaution to prevent any Oppoſition to Lieutenant Dawes in his Journey, and to take Care that his Party was well ſupplied with Ne[illegible] which they would pay. This the Rajah did with great good Will, and by a Lett[illegible] juſt received from Lieutenant Dawes, I learn he is advanced in his Rout as [illegible] a Place ſituated in the Hills, on a Line with and in Sight of Beechagur, bu[illegible] Coſs diſtant, without the leaſt Interruption; ſo that all the Rajah's Fears on [illegible] be ſubſided, as Lieutenant Dawes muſt by this Time be advanced quit[illegible] Diſtrict, which are not above Ten Coſs diſtant from the aforeſaid Place. B[illegible]

a very effectual Method to ſecure his Fears againſt any ſudden Surprize, by eſcorting Lieutenant Dawes with four hundred Matchlock Men, a Number far exceeding the Force with him, which only conſiſts of a Company of Sepoys.

" In Anſwer to the Summons I ſent for Byaram, in the Morning I have received a Letter from the Rajah, telling me that he was employed in ſome Buſineſs with him, but that Backraje would attend upon me in the Evening. However it is now paſt Nine at Night, and he has not made his Appearance.

" I was deſirous of forwarding this Letter to you by to-Night's Dauk, but I ſhall defer it till to-morrow in Hopes of ſeeing one or other of the Rajah's Counſellors, whoſe Communications may, as I hope they will, enable me to aſſign ſatisfactory Reaſons to you for what appears to me as yet a myſterious Conduct.

" April 7th, Nine P. M.

" This whole Day has paſſed over, and I have neither ſeen nor heard of any of the Rajah's People; I ſhall therefore write him a Letter to Night, to favour me with a Viſit To-morrow, and if his Anſwers to the Queries I ſhall put to him on the above Subject, are not perfectly ſatisfactory, and whereof you ſhall be informed, I think it will be but prudent to introduce a Perſon to him to attend at his Durbar, in the Capacity of my Vackeel, until I am favoured with your Anſwer, which I flatter myſelf you will ſend me in courſe. I have the Honour to be, with the higheſt Reſpect and Eſteem,

" Dear Sir,
Your much obliged and moſt faithful
humble Servant,
" Tho' Graham."

" The Honble.
W. Haſtings, Eſquire,
Governor General, &c.

The Managers for the Commons deſired to know, whether the Counſel for the Defendant intended to produce the Inſtructions and Orders given to Lieutenant Dawes, alluded to in the Letter juſt read.

The Counſel for the Defendant informed the Houſe, they were not in Poſſeſſion of the Inſtructions, nor were they aware that the ſame were upon the Conſultations.

Read, the following Letter, from the Reſident at Benares to the Governor General, dated 13th May 1779, and already delivered in.

" Dear Sir, " Benares, 13th May 1779.

" Letters received this Day by One of the Shroffs of this Place from Surat, in Twenty-one Days, mention the Return of Colonel Goddard from Bombay, and confirm the former Advices of Rogoobah's having advanced near to Borranpore. The Coſſids who brought theſe Letters, alſo mention that they were detained for a Day and Half by a numerous Body of Horſe, belonging to Sindy, who had ſet themſelves down near to the Reſidence of an independant Chief, laying in a Country beyond Janſy, and were demanding of him a Levy of Five Lacks of Rupees, but that he had not then conſented to pay more than Thirty thouſand.

" The Rajah is very dilatory in paying the Money for his Kiſt already due; he has ſtill to pay me upwards of 40,000 S[a] Rupees on that Account, which I do not expect to receive for theſe Two Days at leaſt, as the Intelligence I have juſt received of the Death of his only Daughter will furniſh him with a Pretence for that or a longer Delay; whilſt he perſiſts in ſuch a Conduct, I ſee little Proſpect of being able to purſuade him to lend his Aſſiſtance to the Company, by making an Advance of a Part of his Tribute; the Four People, his Adviſers, whom I mentioned in my laſt, are ſo far from being neglected, or in any Shape degraded in conſequence of my Objections to them, that they are become his Companions Night and Day, and encourage him in Thoughts altogether incompatible with his Duty to the Government; ſuch as adviſing him to entertain more Troops, put his Forts in a Poſture of Defence, and to obey no Orders unleſs immediately agreeable to the Terms of his Engagements with the Company; ſo far their Advice has had Effect as to induce him to call his Troops from every Quarter, and to diſtribute them at his Forts and other ſtrong Poſts; they have had the Inſolence to boaſt to him that with his Riches he may carry Fire and Sword to Calcutta. To accuſe him of holding ſuch Converſations is only to receive a flat and ſolemn Denial. As I believe my Authority to be good, it coming from the Old Ranny, I muſt try ſome other Method of checking ſuch infamous Intrigues. It has ſtruck me, as there are many heavy Complaints againſt them, to make uſe of the Pretence they will furniſh me with, of attending each of them wi[illegible]; this is only a Thought of the preſent Moment, ſo that I am not yet determined [illegible] it in Force, although I ſee the abſolute Neceſſity of taking ſome ſuch Step. I [illegible]red with your Sentiments on this Subject as ſoon as convenient.

[illegible]o be, with the higheſt Reſpect and Eſteem,

" Dear Sir,
Your moſt obedient,
And much obliged humble Servant,
" Tho' Graham.

[illegible]overnor General.

The Managers for the Commons desired to know whether the Counsel for the Defendant meant to produce the Answer of the Defendant to the Letter just read.

The Counsel for the Defendant informed the House, they were not in Possession of such Answer.

Read, the following Letter from the Resident at Benares, to the Governor General, dated the 19th May 1779, and already delivered in.

" Benares, 19th May 1779.

" Dear Sir,

" After repeated Application to Rajah Cheyte Sing, and at last representing to him, that either declining, or delaying further to answer your Letter regarding the Payment of such Part of his Tribute, in ready Money, as I might require, would be esteemed an Indignity offered your Authority, he at last sent me the enclosed Letter. His Motive for this Conduct was, to avoid giving any Testimony of his having assented to an Order which he disliked, and from whence a Precedent might be argued for continuing that Mode of Payment of his Tribute. I know not what his Letter contains; but there is still a Balance of a few Thousand Rupees of his last Kist undischarged. I find great Difficulty in obtaining Bills on Patna; and the Exchange between that Place and this is so high, that the Company must suffer some little Loss in the Remittance. This Circumstance has brought a Thought into my Mind; that as the Benares Sicca Rupees are intrinsically fully equal in Value to the estimated Value of Sonauts, they might, without Impropriety, and without creating any real Cause of Complaint, be issued to the Garrison at Chunar, and to the Paymaster of the Brigade at Cawnpore, at that Rate. In the Event of such a Resolution, the Company would, upon a Comparison with the Amount now paid them in Calcutta Siccas, find themselves Gainers of C. Rs. 65,880 : 5 : 19. The only Charge that would fall upon this Mode of Receipt of the Rajah's Tribute, would be about 130 or 150 Rupees per Month for a Treasury Establishment. When we come to reflect, that the Remittances which I am now making to Patna are, perhaps, intended to supply the Demands for the Disbursements at Cawnpore and Chunnar, we cannot but inveigh against the Absurdity of sending Money to a Distance, which is, in Part, to be applied to the Expences of Establishments more contiguous to the Place from whence it is thus sent, by 150 Miles. I have also written Mr. Barwell on this Subject, to whose, and your joint Consideration, I beg Leave to submit it; and shall only here add, that should you find it convenient to adopt the Plan, it will be doing me a Service.

" A. The Rajah continues his unbecoming Deliberations. His Troops are daily collecting together; and he is laying in large Stores of Provisions in his Forts.—Operations which either tend to render him dangerous or formidable, ought not, I think, to escape the particular Notice of Government.

" I have the Honour to be,
With great Respect and Esteem,
Dear Sir,
Your much obliged and
most faithful humble Servant,
" Tho' Graham."

" To the Honble. the Governor General.

The Managers for the Commons desired to know whether the Counsel for the Defendant meant to produce the Answer to the Letter just read.

The Counsel for the Defendant informed the House, it was not in their Power to produce the Answer, Mr. Graham being at this Time in India.

The Managers for the Commons submitted to the House, That the several Letters from Mr. Graham to the Defendant just read, ought not to be admitted in Evidence.

The House informed the Managers for the Commons, That being a Correspondence upon a public Subject between the Governor General on the one Hand, and the Officer employed at Benares on the other, and the Hand Writing being proved, they were proper to be received in Evidence.

The Managers for the Commons waived their Objection for the

Read, from Book 535, already delivered in, the following L
dent at Benares to the Governor General, dated the 31st Ju
Page 301 of the same Book.

" To the Honble. Warren Haſtings Eſquire, Governor General, &c. &c. &c.

" Fort William.

" Sir,

" On the 16th of laſt Month I received a Letter from Mr. Colebrooke, dated the 7th, and encloſing one to * Rajah under your Seal: Mr. Colebrooke at the ſame Time informed me, that it reſpected ſome Bramins in Confinement at Benares; that you had once before written upon this Subject to the Rajah, to which he had paid no Attention, and he deſired me to procure an Anſwer. I am ſorry to ſay that my continual and urgent Applications to the Rajah have been attended with no Effect. He puts off the Buſineſs, and the ſame Anſwer from Day to Day. I can no longer poſſibly impute theſe Delays to any real Impediment. * Sic in Orig.

" I have likewiſe to acknowledge the Receipt of your Orders contained in Mr. Markham's Letter of the 24th of April, which I received the 7th of this Month. It was delivered to me by one Heenga, a Subadar in the Company's Service, who had complained to you of the Rajah's abſolutely refuſing to put him in Poſſeſſion of it, except at a moſt enormous Increaſe upon the original Jurnonah. He had even the Imprudence to threaten the Subadar for his Application to the Engliſh Government.—I ſhall ſay nothing more to the Rajah on theſe Subjects, till I have the Honour of receiving your further Commands.

" I remain,
Sir,
Yours, &c."

" Benares,
31ſt July 1780.

(No Signature.)

To ſhew that the Rajah Cheit Sing was buſy aſſembling his Forces in Auguſt 1780, and induſtriouſly concealed their Number from Mr. Fowke, the Reſident at Benares,

Read, from Book 535 already delivered in, the following Letter from the Reſident at Benares to the Governor General, dated the 10th of Auguſt 1780, beginning at Page 304 of the ſame Book.

" To the Honble. Warren Haſtings, Eſq; Governor General, &c. &c. &c.

" Sir,

" Having received Intelligence that the Rajah had aſſembled a conſiderable Body of Troops at Ramnagur, the Place of his Reſidence on the oppoſite Side of the River, and that more were coming in from different Parts, I thought it proper to wait upon the Rajah and enquire the Reaſon. He told me they were intended againſt a rebellious Zemindar, who was in Arms in the Neighbourhood, and refuſed to pay his Balances. To prevent the Loſs of Lives, and every other ill Conſequences of a Fight, I propoſed myſelf to the Rajah as a Mediator, which he declined. I then told the Rajah, that if he pleaſed, I would write to the Commander at Chunar for a Party of Sepoys, that he might then diſmiſs his own Troops, and that I was very certain the Zemindar would ſubmit without a Conteſt to Engliſh Sepoys. This Propoſal was likewiſe rejected: he only aſſured me, that he ſhould not be the firſt to make the Attack. Though I have no Reaſon to ſuppoſe that the Rajah is aſſembling his Troops for any other Reaſon than that which he aſſigns, yet I cannot help obſerving, that he aſſembles them in a ſecret Manner, and induſtriouſly conceals their Number from me. Your Orders cannot arrive in Time for the preſent Caſe; but I beg to be honoured with your Inſtructions for my Conduct in future upon ſimilar Occaſions.

" I am, Sir,
Your, &c.

" Benares,
10th Auguſt 1780.

" (No Signature.)"

The Managers for the Commons deſired to know whether the Counſel for the Defendant meant to produce the Inſtructions requeſted by Mr. Fowke in the Letter juſt read.

The Counſel for the Defendant informed the Houſe they did not.

Read, from Mr. Middleton's Letter Book E. already delivered in, the following Letter from Mr. Middleton to Mr. Fowke, dated the 30th November 1780.

" To Francis Fowke, Eſq; Reſident at Benares.

trouble you with a Letter from me to Rajah Cheyte Sing: The Purport with him for receiving into his Protection Zalem Sing, the Rebel Zemin- ting him Jaguires within his own Territories.
this Matter to the Rajah, ſo as to induce him to withdraw his Protection his Rebel, you will forward the Company's Buſineſs here, and oblige,

" Sir,
Your moſt obedient humble Servant,
(Signed) " Natha' Middleton."

now,
ber 1780.

Read, from Mr. Middleton's Letter Book A. already delivered in, the following Letter from Mr. Fowke to Mr. Middleton, dated the 10th December 1780; beginning at Page 21 of the ſame Book.

" To Nath[l] Middleton, Eſquire.

" Sir,

" I have received the Favour of your Letter of the 30th of laſt Month, incloſing One for Rajah Chite Sing, to which the encloſed is an Anſwer; the Rajah abſolutely denies either having afforded Protection to Zaulem Sing, or granted him any Jageer. I have made Enquiries into the Affair, but have not hitherto found any Foundation for the Charge. I am inclined to think, you have been miſinformed. If however you will favour me with further Particulars, as you may receive them, reſpecting the Spot where Zalem Sing is ſuppoſed to be, and the Part of the Country reported to be granted in Jageer, it will enable me to put the Matter beyond a Doubt; at any Rate I ſhall continue my Enquiries.

" Benares, 10th December, 1780. " I am Sir, &c.

* Sic in Orig. " F. Fouke *."

The Counſel for the Defendant ſtated, they ſhould next ſhew, That Zaulem Sing, whom Cheit Sing denied he had harboured in his Country, was harboured there; and that he was One of the moſt active Perſons in carrying on the War againſt the Company.

The Managers for the Commons deſired to know, whether the Counſel for the Defendant meant to produce the Anſwer to the Letter laſt read?

The Counſel for the Defendant, in Anſwer, referred to the Evidence itſelf, as produced.

Read, the following Extract, from Page 229 of the printed Minutes:

" Affidavit of Major Eaton, commanding the Fort of Buxar.

" Iſaac Eaton, Major of Infantry, in the Service of the United Company of Merchants of England trading to the Eaſt Indies, maketh Oath and ſaith, That the annexed Papers, reſpectively marked N° 1. B, C, D, E, and F, are, as they purport to be, Copies of Letters reſpectively written and received by this Deponent; and that he did believe, from the beſt Information which he had received at the Time of writing the Letters, purporting to be written by him, this Deponent, that the Subject Matter thereof was true, and ſtill believes the ſame to be true. And this Deponent further ſaith, That he hath at diverſe Times written ſeveral Perſian Letters to the Rajah Cheit Sing, containing Complaints of a like Nature; and that he hath not to this Hour been able to procure Redreſs from the ſaid Rajah, either on account of the Complaints contained in the annexed Letters, or in the ſaid Perſian Letters; and that the ſaid Rajah had at different Times inveigled the Sepoys under the Command of this Deponent to deſert and enter into his Service; and that, from the general Conduct of the ſaid Rajah and his People, this Deponent verily believes the ſaid Rajah was diſaffected to the Engliſh Government, and wiſhed the Subverſion of the ſame. And further this Deponent ſaith, that he hath commanded the Fort or Garriſon of Buxar, on the Frontiers of the Company's Poſſeſſions, and next adjoining to thoſe of the Zemeedary of the ſaid Rajah Cheit Sing, for the Space of Three Years and Half, and, from his Office and Situation, had frequent Experience of the Diſpoſition of the ſaid Rajah, and of his People.

" Sworn this 9th Day of December in the Year 1781, before me E. Impey. " Iſaac Eaton."

Read, the following Extract, from Page 199 of the printed Minutes.

" To the Honourable Warren Haſtings, Eſquire, Governor General, &c.

" Sir,

" About the Month of November laſt, I communicated to Mr. Markham the Subſtance of a Converſation ſaid to have paſſed been Rajah Cheit Sing and Saadut Ally, and which was reported to me by a Perſon in whom I had ſome Confidence; the Mode of communicating [illegible] gence to you I left entirely to Mr. Markham.

In this Converſation, which was private, the Rajah and Saadut Ally were [illegible] of Hyder Ally's Victory over Colonel Bailie's Detachment; to have agreed [illegible] ſeize this Opportunity of conſulting their own Intereſt; and to have de[illegible] Succeſs of Hyder's Arms. Some Days after this Converſation was ſa[illegible] was informed by the ſame Perſon, that the Rajah had received a Meſſa[illegible] Begums at Fyzabad (I think it was from Shujah-ud-Dowlah's Widow), advi[illegible] ply with the Demands of Government, and encouraging him to expect Sup[illegible]

reſiſting. This alſo I believe I communicated to Mr. Markham; but not being perfectly certain, I now think it my Duty to remove the Poſſibility of your remaining unacquainted with a Circumſtance which may not be unconnected with the preſent Conduct of the Rajah.

" Lucknow, 28th Auguſt 1781. I am, Sir, &c. " Francis Balfour."

The Counſel for the Defendant ſtated, they ſhould next read a Letter and Incloſure from Mr. Græme to the Governor General, already in Evidence, but not read by the Managers for the Commons; written at a Place ſituated at the Diſtance of a Hundred Miles from Benares, and before he had heard of the Maſſacre:

Read, the following Extract, from Page 219, of the printed Evidence.

" The Honble. Warren Haſtings, Eſquire, Governor General, &c.

" Honourable Sir,

" Encloſed I have the Pleaſure to tranſmit a Copy of a Letter I have received from Captain Maxwell, commanding the Battalion at Burragong, with which he has ſent me Copies of the Letters written by Baun Sing Roy and Shew Perſhaud Roy, to Futteh Saw. Theſe contain ample Proofs of their Guilt; one of them is a direct Information to him of the March of the Troops from Burragong, and an Invitation to avail himſelf of the defenceleſs State of Huſſypoor, by coming to that Diſtrict.

" I have, in Conſequence of theſe undoubted Teſtimonies, written Captain Maxwell to ſeize the Perſons of Baun Sing Roy and Shew Perſhaud Roy, and keep them in cloſe Confinement.

" I have not complied with Captain Maxwell's Propoſal for diſarming the Country People, as ſuch a Meaſure could not be put in Execution without cauſing a general Alarm throughout the Diſtrict, and greatly obſtructing the Cultivation; beſides which, as no Crime is alledged againſt any other Perſon, I conceive there is no Neceſſity for acting with ſo much Rigour, which would involve the Innocent with the Guilty, and ſtill leave it doubtful on whom Puniſhment ought to be inflicted. Though I have deemed it improper to authoriſe Captain Maxwell to diſarm the People, in which I hope for your Approval, I have recommended to him to uſe every Endeavour to diſcover if any other Perſons, and who, were concerned with Baun Sing Roy and Shew Perſhaud Roy, in their villainous Attempts.

" The Puniſhment of Futteh Saw's Abettors, within the Diſtrict of Huſſypoor, will doubtleſs be productive of good Conſequences, by awing thoſe who are ſecretly attached to him; but it is in vain to expect his Apprehenſion whilſt he receives Protection in a neighbouring Country. I am well informed, that he is now in the Dominions of Rajah Cheit Sing, and that he has been there ever ſince he was driven out of Huſſypoor by Lieutenant Hutchinſon, in the Month of February laſt.

" Chuprah, 19th Auguſt 1781. " I have the Honour to be, &c. " Charles Græme."

" To Charles Græme Eſquire.

" Sir,

" In conſequence of your polite Attention to my Repreſentation, reſpecting the Treachery and traiterous Correſpondence of Baun Sing Roy and Shew Perſhaud Roy with our declared Enemy Rajah Futteh Saw; of their having given him the moſt perfect Intelligence of every Movement or Step taken to entrap him from this Station; of their having ſupplied him with Money, and your turning them out of every Employment, I was further induced to attempt the obtaining the cleareſt Proof of their Guilt, as I could not deem the Puniſhment already inflicted on them (although the moſt in your Power) by any Means adequate to their Crimes.

" Some Time ago, when I had the Honour of mentioning this Subject, and acquainted you with the Hopes I had of obtaining the original Letters from thoſe Men to Rajah Futteh Saw, you was pleaſed to expreſs your Satisfaction thereat, and offered your Aſſiſtance, if this could be effected, of laying the whole before the Honourable the Governor General and Council for their Deciſion. I have now the Pleaſure to acquaint you, that the Encloſed are exact Copies of the Letters, atteſted upon Oath, at this Time in my Poſſeſſion. Should further Proof of [illegible] be deemed neceſſary, I can take upon me to promiſe, that the Man employed in carrying [illegible]om Baun Sing Roy to Rajah Futteh Saw ſhall be produced.

[illegible]r beg Leave to lay before you, that while the Country People, ſo entirely attached [illegible] Rajah Futteh Saw, are permitted to keep Poſſeſſion of Quantities of Arms, [illegible] moſt certain Information is the Caſe, he can never be at any Loſs for an armed [illegible] and plunder the Country with. For this Reaſon I would humbly propoſe my [illegible]d to diſarm every Man in the Country, as the only Deſtruction to his Hopes, and [illegible]lling the Intentions of the Honourable Board, in his preſent Situation, protected and [illegible]d as he is by Rajah Cheit Sing in his Country, where he now watches for the firſt [illegible]portunity of returning to his old Practices.

" I have to requeſt you will be ſo obliging as to lay theſe Circumſtances before the Board, accompanied by this Letter; but ſhould that prove inconvenient, that you will be pleaſed to acquaint me ſo, and I will then do it myſelf through the Commander in Chief.

" I have the Honour to be, &c.

" Burragong, 17th Auguſt 1781. " Robert Maxwell, Captain commanding at Burragong."

Read, alſo, the following Extract, from Page 258 of the printed Minutes.

" Affidavit of Major M'Donald.

" John M'Donald, Eſq; Major commanding the Nabob Aſſof-ud-Dowlah's Third Battalion of Sepoys, on Oath ſaith, That he the Deponent was ſtationed at Amora, to aſſiſt the Aumil in collecting the Company's Tunka, alſo to protect the Subjects of his Excellency the Vizeer from the Depredations of Zalim Sing, the Rebel Rajah of the aforementioned Place Amora, alſo the Attacks of others his Adherents: That the ſaid Deponent had been detached by Lieutenant Colonel Hannay, ſome Time in February 1780, with a Body of Horſe and Foot, in Purſuit of the abovementioned Rajah Zalim Sing, who, beſides ſequeſtering the Rents of the Pergunnah, had compelled the Inhabitants to quit the Diſtrict; and further, wantonly, and without Cauſe, murdered Two of the principal Cannoongoes of the Pergunnah aforeſaid. The Deponent could not come up with the flying Rajah, but followed him until he took to a large Jungle, that bounded the Country of the Vizeer to the Eaſtward, and is the Weſtermoſt Limit of the Zemeedary of Cheit Sing, Rajah of Banaris. Zalim Sing was there received in the moſt friendly Manner, and Protection promiſed him. On this, the Deponent ſent proper Spies to watch the Motions of Rajah Zalim Sing, and returned himſelf with the Troops to his Station at Amora: That the Deponent learned by the Spies left about Zalim Sing, that he was allowed to reſide openly under the Protection of Cheit Sing, and had Villages, alſo Lands, aſſigned for the Maintenance of himſelf and Followers. (*a*)

(At the End of the Affidavit) " J. Macdonald."

" Sworn before me this 27th Day of November 1781,
" E. Impey."

Read, alſo, a further Extract, from Page 260 of the printed Minutes.

" The Deponent ſaith, He believed the Reports as before related at that Time, and ſtill is of Opinion the Threats therein contained were intended to be carried into Execution had the League been ſucceſsful; nor did the Deponent then (or even at this Moment) doubt but what the Begums at Fyzabad and their Khajahs were in a League with Cheit Sing the Banaris Rebel; and the Deponent is of Opinion that the Whole of the Diſturbances that happened in the Parts were he reſided, took its riſe from the Rebellion of Rajah Cheit Sing; and the Deponent is further of Opinion, that it would not have extended itſelf ſo wide in the ſhort Time it really did, had it not been a Matter pre-concerted, and brought to light by mere Chance, ere properly ripe for Execution: And the Deponent further ſaith, That he is of Opinion, from the many Converſations he the Deponent has held with ſeveral Perſons, Inhabitants of the Rebel Cheit Sing's Country, that the Rebellion has been meditating even ſome Years; that the Deponent was informed the Matter was abſolutely debated in the Year 1779, and prevented only by the Voice of a Perſon about the Rajah, to whoſe Judgment much Deference was paid by the Rajah Bulwant Sing, Father of the Rebel. (*a*)

" J. Macdonald."

" Sworn before me this 27th Day of November 1781,
" E. Impey."

The Managers for the Commons objected; That it was not competent for the Counſel for the Defendant to offer the Extracts of the ſuppoſed Affidavit of Major Macdonald, juſt read in Evidence.

The Houſe informed the Managers for the Commons, That the Affidavit Extracts in Queſtion, having been produced by the Managers for the Commons, it was competent to the Counſel for the Defendant to read them in Evidence.

To ſhew what Stores were found in the different Forts of the Ra[illegible] after they were taken by the Company's Troops,

Read, from Book 542, already delivered in, the following Extract of a [illegible] of 12th Auguſt 1782, beginning at Page 157, of the ſame Book.

(*a*) Vide ſupra, Page 258, 259, 260.

" Fort William, 12th Auguſt 1782.

" At a Council; Preſent, Secret D-pt.

The Honourable Warren Haſtings, Governor General, Preſident;
Edward Wheler, and
John M'Pherſon, } Eſquires.

Lieutenant General Sir Eyre Coote, K. B. abſent on Service at Fort St. George.

" Received the following Letter from the Commandant of Artillery:

" Honourable Sir, and Sirs,

" In Obedience to your Commands, I examined ſome Ammunition found in Poſſeſſion of Rajah Cheyt Sing, of which I have the Honour to tranſmit you a Report. Commandant of Artillery, 1ſt Auguſt.

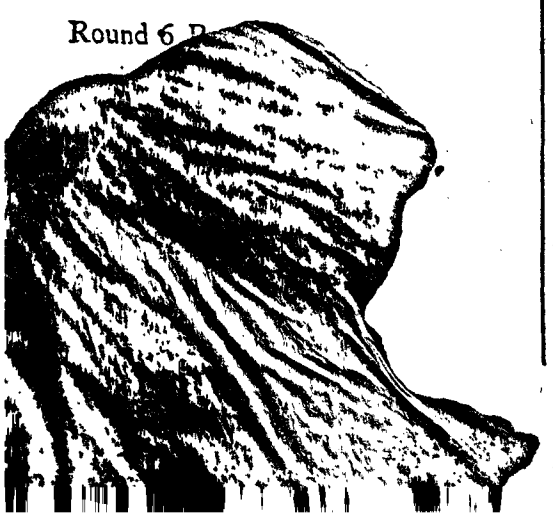
" And am, &c.

" Fort William, 1ſt Auguſt 1782. (Signed) Patrick Duff, Lieutenant Colonel commanding the Artillery."

" Report of Ammunition taken from Rajah Cheyt Sing: Examined by Order of the Honourable the Governor General and Council.

" Fort William, 1ſt Auguſt 1782.

Cartridges, light.	2	The Cartridge Bags, made of Country Cloth, fit for firing the Morning and Evening Gun.
Filled, and fixed to Chain Shot,	2	The Shot hammered, but round the Chains good, with Double Swivels in the Centre, and Single Swivels at each End. The Shot and Chains weigh 4 Pounds 6 Ounces, and 4 Pounds 9 Ounces. Powder, Weight 3 Pound 10 Ounces, and 3 Pound 11 Ounces.
Ditto, Ditto, to Grape,	1	Shot, Leaden, quilted after the Europe Manner, and fixed as we do. Cartridge Bag, Country Cloth, double. The Shot, Weight 5 Pounds. The Powder 3 Pounds 11 Ounces.
Ditto, Ditto, to Round Shot,	3	The Shot are fixed without Bottoms, and with a little Oakum between the Powder and Shot. The Cartridge Bags, Country Cloth, double. The Shot and Powder, Weight as follows: No. 9. Shot, 3 Pounds 1 ½. Powder, 1 Pound 5 Ounces. 2. Ditto, 2 15 Ditto, 15. 3. Ditto, 2 4 Ditto, 2 2.
Balled Muſquetry (French),	9	The Balls hammered, but round; the Powder glazed, and very good; the Ammunition as well made up as ours; but the Paper rubbed by Carriage, and being long made up.
Light Blue,	2	One of which I burned, and found good.
Port Fires, filled,	5	Tried one of them; it burnt clear, and for near Ten Minutes, but not ſtrong; the Paper damp, and the Port Fires rather loft, * owing to the wet Seaſon. There are only Sulphre and Saltpetre uſed on the Compoſition; but they are fit for Uſe. * Sic in Orig.
Powder Country Fire Sounds, †	1	The Powder looks well, but it is not Proof, owing, perhaps to the Dampneſs of the Weather. † Sic in Orig.
Shot fixed to Bottoms—Grape.	2	Leaden Shot, quilted after the European Manner; not being painted, they are not ſo firm as our Grape, but ſtill ſerviceable.
Shot, looſe, Chain,	2	Weighing 4 Pounds 9 and 4 Ounces. Chains good; Length 2 Feet 7 Inches, with Double Swivels in the Centre, and Single Swivels at each End; ſerviceable.
Round 6 P[illegible]	2	They are hammered, but extremely round, and ſo well executed, that the Mark of the Hammer is hardly to be perceived. One Shot, Weight 6 Pounds 1 ½ Ounces; the other, 6 Pound 2 ½ Ounces; fit for Service.
	6	From 4 Pound 6 ½ Ounces to 2 P.; Half an Diener, ‡ hammered, but round, and ſo well done, that the Mark of the Hammer is hardly to be ſeen on any of them but one; ſerviceable. ‡ Sic in Orig.
	2	Burned one, and found it extremely quick, and fit for Service, made up exactly after the Europe Manner.



(Signed) " Patrick Duff,
Lieutenant Colonel commanding the Artillery."

" The Governor General thinks it neceſſary to add to this Report, that theſe Specimens were prepared and ſent to the Board by Colonel Blair, in conſequence of Inſtructions left with him at the Governor General's Department * from Chunar, with the Expectation that they would have arrived at the Preſidency before him. The Length of Time which has elapſed ſince they have been received into our own Stores, muſt have produced a very great Alteration in the Qualities, both of the Powder, and the Compoſition of every other Article of the converted Stores, that their Appearance in their preſent State will be ſufficient to ſhew whether they were the Effect of preſent Neceſſity, or the Work of Men long practiſed in the Buſineſs both of the Forge and Laboratory.—The Members of the Board themſelves have inſpected them, and I wiſh to appeal to them for their own Obſervations of the Qualities of theſe Articles.

* Sic in Orig.

" The Board are clearly of Opinion, that the ſeveral Stores have been manufactured by Men who were converſant in the Arts, and that the regular Preparation of them evidently carries the Appearance of a premeditate Reſiſtance in the Rajah.

" Warren Haſtings,
John Macpherſon."

Then the Houſe adjourned to the Chamber of Parliament.

Die Jovis, 10° *Maij* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed with their Evidence.

The Counſel for the Defendant informed the Houſe, They would now proceed to read a Depoſition of Hurry Ram Pundit, from the printed Minutes.

Read, accordingly, the following Extract from Page 235, of the printed Evidence.

" Tranſlation of the Depoſition of Hurry Ram Pundit.—The Deponent ſworn before Chief Juſtice Sir Elijah Impey, December 2d, 1781.

" The Rajah Cheit Sing, having reflected on his Conduct, determined with his confidential People, that it was neceſſary he himſelf ſhould go to meet Mr. Haſtings, but that he ſhould go from the Place where he was, with ſuch a Force, and with ſuch Preparations, as would enable him to act both by Land and by Water, and impreſs the above-mentioned Gentleman with an Idea of his ſuperior Strength; for that Mr. Haſtings had with him but a ſmall Number of Troops, and if he ſhould have entertained any ill Intentions towards him, on obſerving the Number and Force of his Followers, he would be led to reflect, that nothing could be effected, and conſequently be deterred from making the Attempt; therefore he gave Information and particular Directions to all his Soldiers and Attendants, that he was going to meet Mr. Haſtings, and that they ſhould hold themſelves in Readineſs to proceed: That he ſhould go by Water, for which Purpoſe, a Fleet of Boats was prepared; for the before-mentioned Gentleman (the Governor General) would come by Water, and conſequently his Fleet of Boats would come with him; therefore it was neceſſary, that he (the Rajah) ſhould have a Fleet of Boats alſo, that his People might always be near at Hand: That a Body of Cavalry moreover ſhould proceed by Land, and Tents be pitched at Two Places between Ramnagur and Buxar; for at all Events he muſt meet the Governor General. Accordingly, on the 16th of Shaubaun, the Rajah ſet out from Ramnagur, by Water, to meet Mr. Haſtings. The Jemmadars and Huzzaries, Jaafir Khan, Dillall Khan, Juttoo Khan, Zubburduſt Khan, Lulloo the Son of Kauna Mull, Rambukſh, Baulkiſhen, &c. all together near Five hundred Horſe; alſo Jemmadars of Foot, with Matchlock Men, &c. near Two thouſand, proceeded along the Southern Bank of the Ganges. And by Water, the Rajah was attended by a Fleet of Boats, in Number about a hundred and forty, in which were embarked Suddanund Buxey, Golaum Hooſſein Tay, Mirza Fyz-ullah Beg, Bauboo Doorgbijey Sing, Munnear Sing, Purtaub Roodur Sing, Doond Bahadre Sing, Ahlaud Miſſur, Meer Hooſſein Ally, &c. Sheakh Mahommed Aumeen, Commandant of the Sepoy Battalions, Dabee Sing, Mahommed Moraud, Dhun Sing, and Hukkoomut Sing, Soubadars, with Two Companies of Sepoys, Huzzooree Pedars, and Matchlocks, in all about 2000 Men. Godur Mull and Bullum Daſs, who were ſtationed at Ghauzipoor, joined by Orders from the Rajah, who afterwards arrived at Buxar, and had an Interview with Mr. Haſtings.

" Written by Hurry Ram Pundit."

Read, alſo, a further Extract from the printed Minutes, beginning at Page 246, as follows:

" Affidavit of Hindoo Sing, Adjutant at Buxar.

" The Depoſition of Hindoo Sing, Adjutant at Buxar, ſays, That the People under the Government of Cheit Sing gave many Proofs of Diſaffection to the Engliſh—That about Two Months before the Arrival of the Governor General at Buxar, Two Sepoys belonging to the Fort of Bux[illegible] leave of Abſence, and did not return—That Soojaun Sing, the Brother of the [illegible]k them into his Service, and made one of them a Havildar, and the other [illegible]ived undoubted Information, which was afterwards confirmed by Deſertions [illegible] Soojaun Sing tutored the Two Deſerters to entice away the Engliſh [illegible]ſing to make them Havildars and Officers if they would enter into his [illegible] of which, Seven Sepoys deſerted, and entered into the Service of the ſaid [illegible] many more would have followed, but that proper Meaſures were taken to [illegible]eponent alſo ſays, That long before this, when Sir Eyre Coote was on his [illegible]hree Sepoys were ſent to purchaſe Grain at Balleah, in the Country of the

Rajah; that they applied to the Fougedar of the Place for his Aſſiſtance in purchaſing the Grain; which he not only refuſed, but he cauſed them to be beaten almoſt to Death; that their Turbans and Bayonets were taken away; and that no Satisfaction could ever be obtained for this Injuſtice and Inſult to the Engliſh Government, nor was the Fougedar called to Account for his Conduct. The Deponent further ſays, That when the Rajah came to Buxar to meet the Governor General, he had with him a Fleet of Boats, in Number Eighty or Eighty-five, on which were embarked, according to the Information which he obtained, Two thouſand or Two thouſand Five hundred Men, Sepoys and Matchlock Men, with Four Guns; that he came to, and encamped on, the Northern Side of the River, oppoſite to Buxar; and that he had ſeveral Bodies of Cavalry on the Road, on the ſame Side of the River—Says, that the Rajah came to Buxar to ſee the Governor General; that he brought with him only Fifty or Sixty People, but that they were all his Relations and particular Friends, on whom he depended; and that they were all armed. The Deponent further ſays, That when Hoſtilities commenced between the Rajah and the Engliſh, the Sepoys and others who happened to be in the Rajah's Country, were all driven out, and the Road on both Sides the River ſo completely ſhut up, that no Individual could paſs—That Four or Five thouſand Matchlock Men were to be collected by Two Brothers, Deir Sing and Beir Sing, at Serinjah, agreeable to Orders from the Rajah; and that the ſaid Rajah wrote Directions to the ſaid Deir Sing and Beir Sing, and to the Kelladar of Serinjah, to reduce the Fort of Buxar, and to eſtabliſh his Government in that Country.

"The Deponent further ſays, That about Twelve Months ago Three European Gentlemen were attacked at Beerpoor, in the Country of the Rajah, about Five Coſs from Buxar; that One of the Gentlemen was deſperately wounded; that a Serjeant, a Jemmadar, and Fifty Sepoys, were ſent from Buxar to ſeize the Zemeedar, but without Effect—That Complaints were made to the Rajah, but no Redreſs could ever be obtained.

"Hindoo Sing."

"Sworn before me (the Contents being firſt explained to the Witneſs by W. Davy Eſquire, in the Hindoſtan Language) the 9th Day of December 1781.

"E. Impey."

"Affidavit of Sheakh Mahommed Aumeen Meyher.

"Depoſition of Sheakh Mahommed Aumeen Meyher, late a Commandant in the Service of Cheit Sing.—Upon his Oath ſays, He was the Servant of Cheit Sing; that he commanded a Battalion of Eleven hundred and Fifty Sepoys in his Service; that he accompanied Cheit Sing when he went to Buxar to meet the Governor General; that there was with Cheit Sing at that Time, the following armed Force, Two hundred and Twenty-eight Sepoys under the immediate Command of this Deponent, Six hundred Matchlock Men under the Command of Seuperſaud Sing, and Three hundred Peadahs, or Sword Men, called Huzzoory or Guards; that the above-mentioned Troops accompanied the Rajah in Boats; and that the ſaid Rajah Cheit Sing was alſo attended by a Body of Six hundred Cavalry, under different Leaders; that the Cavalry marched down on the Southern Bank of the Ganges, and directed their Movements by the Motion of the Fleet of Boats in which the Rajah and his Infantry were embarked: That when the Rajah Cheit Sing arrived at Ghauzipoor, he was joined by Bullum Daſs the Aumil, and the Dewan Ruggoobur Dial; and that when he proceeded on from thence, a Detachment of Cavalry and Matchlock Men (ſtationary Troops at Ghauzipoor) in Number about Five hundred, accompanied the Rajah, marching along the Northern Bank of the River in the ſame Manner as the Troops on the oppoſite Side, moving when the Fleet moved, and halting when that halted; that the Rajah arrived, and encamped on the Northern Side of the Ganges, oppoſite the Fort of Buxar; that the Governor General arrived at Buxar the next Day; that the Rajah croſſed the River, and waited upon him; that he returned to his Camp, and about Three o'Clock in the Afternoon put his People and Fleet in Motion, returning as he had went, and the Troops on the Banks of the River accompanying the Boats; that the Governor General proceeded the next Morning, and came up with the Rajah at Zemeneeah, about Twenty Coſs from Buxar; that the Rajah again waited on the Governor General on board his Boat, and that the Governor General then proceeded on before the Rajah, the Rajah following at the Diſtance of Four or Five Coſs, until they reached Benaris; that the Governor General went to the Garden of Mahadew Daſs, and the Rajah to Shewallah Ghaut, his armed People taking their Stations in their Neighbourhood; that his (the De[illegible]) People did not arrive with the Rajah, but that he joined him with Fifty Sepoys, and to[illegible]ar to Shewallah; that Two Companies of Sepoys alſo joined the Rajah from [illegible] ponent further ſays, That on the Day that the Three Gentlemen and [illegible] Engliſh Sepoys came to the Rajah, and the Circumſtance of his Arre[illegible] People (who were then ſtationed round Shewallah) to the Number of a[illegible] armed and prepared for Action; that at this Time Munnihar Sing, Seu[illegible] Sing, went to the Rajah: That the Diſturbance and Diſpute at the Gate [illegible] every Moment: That the Huzzoories, Peadahs, and others, with their [illegible]

Chuppers which were erected againſt the Wall on the Outſide; that the Matchlock Men fired upon a Company who were without Shewallah; that the Deponent counted Seven Matchlocks which were fired, and ſaw a Sepoy fall by the Firſt Shot; that the Moment the Firing was heard, the Rajah's People forced their Way Sword in Hand into Shewallah, and cut the Gentlemen and Sepoys to Pieces; that the Rajah Cheit Sing eſcaped during the Conflict to Ramnagur, and from thence to Lutteefpoor.

" The Deponent further ſays, That after the Detachment from Chunar was repulſed near Ramnagur and obliged to retreat, Soojaun Sing and the Buxey Suddanund arrived with Troops at that Place, and that by Orders from the Rajah they prepared Scaling Ladders, &c. in order to make a Night Aſſault on the Garden of Mahadew Daſs; that Boats were preparing, and Guns and Troops marched down to the Ghaut of Auſi Sungun; that the Sepoys belonging to the Deponent refuſed to croſs the River until they had obtained ſome Refreſhment, having been without Food for Two Days; that the Night paſſed away without any Thing being done, and that the Governor General on that Night quitted Benaris, and arrived at Chunar; that Soojaun Sing and Suddanund Buxey wrote a Complaint to Cheit Sing againſt the Troops under the Command of the Deponent the next Morning; and that Soojaun Sing ſent a Company of his own Sepoys to take Poſſeſſion of the Garden of Mahadew Daſs; that they plundered the Property of the Gentlemen at that Place, and returned to Ramnagur.

" The Deponent further ſays, That the following is, to the beſt of his Memory, a true Liſt of the Forces with Rajah Cheit Sing; thoſe on the regular Eſtabliſhment, thoſe newly entertained, and thoſe who came in to his Aſſiſtance."

" Liſt of the Eſtabliſhed Forces in the Service of Cheit Sing.
Cavalry, Sepoys, Matchlock Men, &c.

		Number.
Cavalry — — — —		1,700
Body Guards, or ſelect Troops, Cavalry and Infantry — —		700
Sepoys — — — —		1,150
Matchlock Men — — — —		1,800
Attached to Bullum Dans — —	Horſes 300 Foot 500 Total	800
With Soojaun Sing — —	Cavalry and Infantry	500
Sepoys and Artillery Men with Two Guns —	— —	340
With Munnear Sing — —	Cavalry and Infantry	700
		7,690

" Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

Firſt, entertained at Lutteefpoor	—	Matchlock Men and Sword Men	2,000
Second, — Nujjeeb	—	Sword Men from Lucknow —	1,000
			3,000

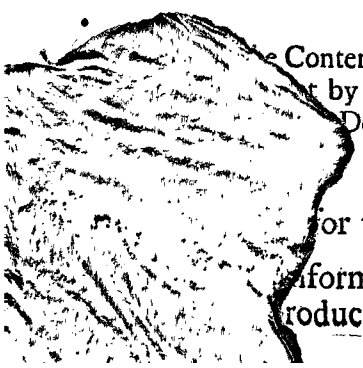
" Troops aſſembled from different Places.

Infantry and Cavalry with Juggurdeave Sing —	—	500
Matchlock Men arrived with Bukht Sing, by Orders from Rajah	—	1,200
D° with Gooman Sing, ſent for by the Rajah —	—	500
D° from the Fougedar of Bidduwy — —	—	1,000
Raujpoots of the Tribe of Kugbunſie from Kurraukut —	—	3,000
With Dillun Sing, Fougedar of Mukurun Baudſhaahpoodmate —	—	1,500
Cavalry and Infantry arrived with Ruzza Rool Khaun —	—	300
Raujpoots collected from Agoree and Purwah by Dea Lutchoo	—	500
D° of the Tribe of Cummur collected by Soojaun Sing —	—	1,000
Sword and Matchlock Men with Ranju Awun —	—	2,000
		11,500

" Total Troops in the Service of Cheit Sing — 22,190

" To which are to be added Huſbandmen and Adventurers who took up Arms, making the foregoing Number amount to near 40,000 Men.

(Signed) " Sheakh Mahommed Aumeen Mhiur."



Contents being firſt explained to
by William Davy Eſquire)
December 1781.
(Signed) " E. Impey."

or the Commons objected to the Evidence.

informed the Managers for the Commons, That the Effect of the roduced, would be Matter of future Conſideration for the Houſe.

The

The only Queſtion now was, whether having being read in Part on the one Side, it would not, at the Time it was then produced, have been competent for the Defendant to have read the Whole; and that upon that, and that Ground only, the ſame was now read.

To prove, That the Arreſt of Perſons in high Situations concerned in the Collection or Adminiſtration of the Revenues, is a uſual Meaſure of Government in Caſes of Miſconduct,

Read, from Book 503, already delivered in, the following Extract of a Conſultation of the 20th April 1772, beginning at Page 45 of the ſame Book.

" Fort William, the 28th April 1772.

Secret Dept.

At a Conſultation; Preſent,
The Honble. Warren Haſtings, Eſquire, Governor General, Preſident;
William Alderſey, Philip M. Dacres, Thomas Lane, Richard Barwell, Eſquires; James Harris, James Lawrell, Henry Goodwyn, John Graham."

" Read and approved, the Proceedings of the 16th ultimo.

Preſident's Minute, informing the Board of the Seizure of Mahomed Rezza Cawn and his Dewan.

" The Preſident informs the Board, that in Conſequence of Orders received from the Secret Committee by the Lapwing, and referred to in Paragraph the - - - - - * of the General Letter from the Court of Directors which accompanied it, he has ſent Inſtructions to Mr. Middleton to arreſt the Perſons of Mahomed Rezza Cawn, and Rajah Aumatt Sing his Dewan, and to ſend them under a Guard to Calcutta; that he has received Advices from Mr. Middleton, that the ſame has accordingly been put in Execution.—This Letter to Mr. Middleton, and Mr. Middleton's in Reply, he deſires may ſtand on the Proceedings.

* Sic in Orig.

" To Samuel Middleton, Eſquire.

" Sir,

* Sic in Orig.

" By the Lapwing's * Packet, which arrived laſt Night, I received a Letter from the Secret Committee of the Honble. Court of Directors, in which they direct and enjoin me immediately on the Receipt of the ſaid Letter, to iſſue my private Orders for ſecuring the Perſon of Mahomed Rezza Cawn, and to bring him down to Calcutta.

" Their Commands are peremptory, and require immediate Execution, neither will the Urgency of the Occaſion admit of Delay. Many Conſiderations induce me to delegate this Truſt to you. Your Station and Authority point you out as the fitteſt Perſon for it, as the particular Confidence which I repoſe in your Integrity and Fidelity to our Common Maſters, is a Pledge to me for your punctual and inſtant Diſcharge of it.

" This, therefore, is to require of you, that upon the Receipt hereof, you do immediately arreſt the Perſon of Mahomed Rezza Cawn, and ſend him under a ſufficient Guard to Calcutta, allowing him only the Time neceſſary for furniſhing himſelf with ſuch Conveniencies as he may want on the Way. Your own Diſpoſition will make it needleſs to recommend that every Mark of Tenderneſs and Reſpect may be ſhewn him, conſiſtent with the literal Performance of this Service; but it will be beſt to avoid a perſonal Meeting with him: I adviſe, but do not inſiſt on this, leaving it to your Diſcretion.—You will be pleaſed to keep a Guard on the Houſe of Mahomed Rezza Cawn, and ſuffer nothing to be removed from it, until you receive further Inſtructions on this Subject, either from myſelf, or the Select Committee.

" I muſt deſire alſo, that you will cauſe Rajah Aumers Sing, the Dewan of Mahomed Rezza Cawn to be ſeized and ſent down to Calcutta.

" It is unneceſſary to recommend to you the greateſt Caution and Secrecy in the Conduct of this Buſineſs, that it may be the Cauſe of no Alarms or Diſturbance.

" I am, with much Eſteem, &c.
(Signed) Warren Haſtings."

" Fort William,
24th April 1772.

" To the Honble. Warren Haſtings, Eſquire.

" Sir,

" In obedience to your Commands, ſignified to me in your Letter of the 24th I[illegible] the Satisfaction to acquaint you, that I have this Morning ſeized the Perſons of [illegible] Cawn, and his Dewan Armut Sing, and placed proper Guards upon their H[illegible] As you were pleaſed to intimate your Wiſh that I ſhould avoid a perſonal I[illegible] bob, I deputed Mr. Anderſon, one of my Aſſiſtants, to wait upon him w[illegible] and to communicate the diſagreeable Orders I had received regarding him. A[illegible] Officer with Eight Companies of Sepoys was diſpatched from the Brigade, to ex[illegible] of theſe Orders, and to guard againſt any evil Conſequences which might have [illegible] Apprehending that this Alarm would occaſion ſome Diſturbance, I went myſe[illegible]

th's Force joined to ſome Companys of Purgunna Sepoys, to the Kellah, with a View to explain the Matter to the young Nabob, and to obviate any Conſternation or Surprize which might have ſeized him from an Event thus ſudden and unexpected; and at the ſame Time to prevent any Irregularities which at this critical Juncture the Nizamut Sepoys, or the Nabob's own Servants might have been tempted to commit. But I had the Satisfaction to find, that however prudent, Circumſtances might have made theſe Meaſures appear, there was, in fact, no abſolute Neceſſity for their Adoption; for I did not diſcover the leaſt Tendency to Tumult or Diſorder throughout his Excellency's Dependants; and ſo little Inclination did Mahomed Reza Cawn ſhew to oppoſe or impede the immediate Execution of your Orders, that he was no ſooner acquainted with the Purport of them, than he made a voluntary Reſignation of himſelf and Effects to the Officer who was deputed to take him into Cuſtody; and here I ſhould not do Juſtice to the calm Submiſſion with which he met his unhappy Fate, was I not to notice the Readineſs he manifeſted to comply with your Orders in their fulleſt Extent; and ſo far from wiſhing to protract the Period of his Departure from hence—I can venture to aſſure you, you cannot be more impatient for his Arrival in Calcutta than he appears to be; and he accordingly proceeds in his Journey To-night, under an Eſcort of Two Companies of Sepoys commanded by Lieutenant Lucas.

"He propoſes embarking at Mizzapore, and will require Three Budgerows, and Fifteen Baggage Boats, for himſelf and his Dewan; theſe, with a ſmall Addition to the Number of Boats, for the Service of the Sepoys, I am to requeſt, may be diſpatched from the Preſidency with all poſſible Expedition. (*a*)

"I am, Sir, &c.
(Signed) "Sam. Middleton."

"Moortejet,
27th April 1772.

(Signed at the End of the Conſultation)

"R^t Barker,
Warren Haſtings,
W. Alderſey,
T. Lane,
Richd Barwell,
H. Goodwin."

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 59 of the ſame Book.

"As the Charge of Neglect or Embezzlement of the Revenues, is equally applied by the Court of Directors, to Sitabroy the Naib Dewan of the Bahar Province, as to Mahomed Reza Cawn; as they have directed a minute Enquiry to be made into both; and as the leaving of Sitabroy in Poſſeſſion of his Office, after the Meaſures which have been taken reſpecting M. R. Cawn, and the Concluſion which he muſt neceſſarily form with regard to himſelf, may put it in his Power to elude any Enquiry into his Conduct, whether by private Colluſions with his Agent, or by his Flight;

"The Board are of Opinion, that it will be equally neceſſary to lay an immediate Reſtraint upon his Perſon, and that of his Dewan alſo.

"Agreed therefore, that the Preſident be requeſted to write to the Chief of Patna for the above Purpoſe, in the like Manner as he has written to the Chief of the Durbar." (*b*)

Preſident to write to the Chief of Patna to apprehend Sitabroy.

Read, alſo, the following Extract of a Conſultation of the 16th May 1772, beginning at Page 85 of the ſame Book.

"Fort William, 16th May 1772.

"At a Conſultation; Preſent,
The Honourable Warren Haſtings, Eſquire, Preſident;
William Alderſey, Philip M. Dacres, Thomas Lane, Richard Barwell, } Eſquires. } James Harris, James Lawrell, Henry Goodwin, John Graham,

Sec. Dept.

"The Preſident lays before the Board, the following Letter received from the Chief of Patna.

"A Copy of a Letter from Mr. George Vanſittart, Chief at Patna, to the Honourable the Preſident.

"Patna, 7th May 1772.

"[illegible]your Letter of the 28th of April, and have in conſequence cauſed Rajah [illegible]d, and I ſhall diſpatch him to Calcutta To-morrow Morning, under the Eſ-

Letter from the Chief of Patna.

(*a*) Vide Appendix, N° CCXLIX. (*b*) Vide Appendix, ibid.

cort

cort of a Subadarand Fifty Sepoys, together with the Dewan Buſſunt Roy and his Paiſhear Sudar Sing. Both to obviate the Alarms of the Natives, and to ſecure as much as poſſible the Collections from being prejudiced, I have been particularly attentive that he ſhould be expoſed to as little Indignity and Diſhonour as Circumſtances would admit. I am under no Apprehenſion of Diſturbances in the City, but the Collections perhaps may in ſome Degree ſuffer, both by the Uneaſineſs which ſuch an Act of Violence may occaſion among the Men of Credit in the Country, and by the Abſence of Raja Sitebroy at this Time of the Year, whoſe Experience and Abilities might be particularly uſeful for the Adjuſtment of thoſe Purgannas in which the Produce has been deficient. *(a)*

" I am, &c.
(Signed) " Geo. Vanſittart."

(Signed at the End of the Conſultation)
" Warren Haſtings,
W. Alderſey,
Thomas Lane,
Rich[d] Alderſey,
H. Goodwin."

To ſhew the Reſolution of the Board in October 1788, to impoſe a Fine of 5,000 Rupees upon the Rajah of Burdwan, for not paying his Arrears according to their Order, and if he did not pay the Fine, to put him into Confinement; the Order to put him into Confinement upon his Default in that Reſpect, and the Execution of that Order,

Read, from Book 500, the following Extract of a Conſultation, of the 1ſt October 1788, beginning at Page 144 of the ſame Book.

" Fort William, 1ſt October 1788.

Rev. Dept. Wedneſday.

" At a Council; Preſent,
Earl Cornwallis, K. G. Governor General, Preſident;
The Honourable Charles Stuart,
and
John Shore, Eſquire.

" Mr. Shore acquaints the Board, that Orders were iſſued to the Rajah of Burdwan, on the 23d of October 1787, to tranſmit the Account of the Bazee Zemeen Lands of that Diſtrict. That in Conſequence of his delaying to furniſh the Papers required of him, the Orders were repeated, but without Effect. He accordingly tranſmitted a further Requiſition to the Rajah; to which he received the following Reply, which he now ſubmits for the Conſideration of the Board:

" From the Rajah of Burdwan, addreſſed to the Board of Revenue.

" Received the 27th September 1788.

Enclosure.

" I have been honoured with your Perwannah, ſtating, that ſeveral Orders have been iſſued to me, regarding preparing and tranſmitting the Papers of the Bazer Zemun of Chucla Burdwan. That theſe Accounts had not yet been drawn out agreeable to the Form laid down by you, and ſent to the Preſence; and deſiring, that in the Courſe of 15 Days, I prepare theſe Papers, and tranſmit them to you; that in caſe of any Delay, it will be very bad for me. Gentlemen, What Power have I to deviate a Hair's Breadth from your Orders? And I am even ready and earneſt to obey them to the utmoſt of my Life. But the Misfortunes which befel this Diſtrict laſt Year, are well known to you. From Byſaac to the 15th Sawun, I attended the Preſence concerning the Balances of laſt Year. Having ſettled this, I returned to Burdwan, and have ſince been engaged in arranging the Settlement, and therefore could not entirely devote my Time to making out theſe Accounts. Now, in purſuance to your Orders, I have Day and Night exerted myſelf in preparing theſe Accounts. But the Collections, the moſt important Matter, will be injured, if the Gomaſtahs of the Villages are called all in at once. On this Account, I have ſent for the Gomaſtahs, one by one, with the Moſuſil Papers, and am making out the Accounts wanted by the Preſence. By God's Help, in a ſhort Time, the Papers of each Village will be made out, and ſent to the Preſence. *(b)*

(A true Tranſlate)
" G. F. Cherry, D. P. Tr."

(Signed at the End of the Conſultation)
" Cornwallis
Cha[s] St
J. Sho

Read, alſo, a further Extract from the ſame Conſultation, beginnin
the ſame Book.

(a) Vide Appendix, N° CCL.

(b) Vide Appendix, N° CCL

" Gentlemen,

" Your Preſident having acquainted us, that Orders have been repeatedly iſſued to the Rajah of Burdwan, to tranſmit the Accounts of the Bazee Zeman Lands of that Diſtrict, which he was directed to prepare ſo long ago as the 23d October 1787, and deeming the Reaſons aſſigned by the Rajah for the Delay, in the encloſed Reply, to a further Requiſition lately tranſmitted him, evaſive and ill founded, we have reſolved to impoſe on him a Fine of Five thouſand Rupees, as a Puniſhment for his Diſobedience to Public Orders, and deſire you will direct the Acting Collector of Burdwan to require Payment of the Amount within Five Days from the Date of his notifying the Order to the Rajah, and to put him in Confinement in the Event of his failing to diſcharge it within the Period preſcribed.—You will order the Acting Collector to communicate the above Reſolutions to the Rajah, and likewiſe to acquaint him, that ſhould he perſiſt withholding the Accounts, he will ſubject himſelf to further Marks of our Diſpleaſure, and to the Infliction of heavier Penalties. (*a*)

To Board of Revenue.

" October 1ſt 1788. " We are, &c."

Read, alſo, from Book 501, the following Extract of a Conſultation of the 19th November 1788, beginning at Page 378 of the ſame Book:

" Fort William, the 19th November 1788.

" At a Conſultation; Preſent,

Earl Cornwallis K. G. Govern or General, Preſident;
The Honble. Charles Stuart.
Mr. Shore indiſpoſed.

Rev. Dept. Wedneſday.

" To Earl Cornwallis K. G. Governor General in Council.

" My Lord, Fort William.

" We have the Honour to encloſe Copies of a Letter and Encloſure from the Acting Collector of Burdwan, reſpecting the Fine impoſed by your Lordſhip in Council, on the Zemindar of that Diſtrict, and beg Leave to requeſt your Orders on his Application,

" Calcutta, " We are with Reſpect, &c.
the 11th November 1788. (Signed) " Thos Graham, &c. Members."

Boards of Revenue.

" To John Shore, Eſquire, Preſident, and Members of the Board of Revenue.

" Sir and Gentlemen, " Fort William.

" I have been honoured with your Letter of the 17th ultimo, encloſing Orders from the Right Hon. the Governor General in Council, to levy a Fine of 5000 Rupees on the Rajah of Burdwan, for neglecting to tranſmit the Accounts of the Bazee Zeemen Lands of this Diſtrict, and directing me in the Event of his failing to diſcharge it, to put him in Confinement.

Encloſure in Letter from the Board of Revenue.

" In Obedience to the above Orders, I communicated to the Rajah (in Writing) the Commands of the Honourable Board, (a Copy of which I have the Honour to encloſe); and as he has perſiſted in withholding the Payment of this Fine, I have been under the Neceſſity of placing a Jemydar and 12 Peons Mohuſſils over him, and ſhould he ſtill delay Compliance with the Honourable Board's Order, I beg to be favoured with Directions in what Manner I am to proceed againſt him.

" I have the Honour to be, with great Reſpect,
Sir, and Gentlemen,
Your moſt obedient,
and very humble Servant,

" Burdwan,
the 8th November 1788.

(Signed) " Thos Brooke, Acting Collector."

" Tranſlation of Mr. Brooke's Letter to the Rajah of Burdwan, after Compliments.

" The Governor General in Council having deemed the Reaſons you have aſſigned for not tranſmitting the Accounts of the Bazee Zemden Lands, evaſive and ill founded; I have therefore impoſed upon * of your Fine of Five Thouſand Rupees, and which Fine you are ordered to pay to me within Five Days of the Date of this Notification to you; and if you ſhould delay the Payment beyond that Day, I am ordered to put you in ſtrict Confinement. I therefore hope you will ſend me this Money immediately; and I am further directed to inform you, that unleſs you tranſmit the Bazee Zemeen Accounts without Delay, you will ſubject yourſelf to much heavier Penalties, and further Marks of the Diſpleaſure of the Governor General in Council.

* Sic in Orig.

A true Tranſlation.
(Signed) " J. Brooke, Acting Collector.

Revenue Board, true Copies.
(Signed) " J. H. Harrington.

(Signed at the End of the Conſultation)
" Cornwallis,
Cha⁸ Stuart."

(*a*) Vide ſupra Appendix, N° CCLI.

Read, alſo, a further Extract from the ſame Conſultation, beginning at Page 399 of the ſame Book.

" We deſire you will order the Collector of Burdwan to repeat his Demand on the Rajah for the Payment of the Fine, and in the Event of his not diſcharging the ſame within Four and Twenty Hours, to put him under a Guard, and ſend him down in Confinement to the Khalſah.

" Fort William, " We are, &c."
the 19th November 1788.

Read, from Book 502, already delivered in, the following Extract of a Conſultation of the 22d December 1788, beginning at Page 570, of the ſame Book.

" Fort William, the 22d December 1788.

Rev. Dept. Wedneſday.

" At a Council; Preſent,
Earl Cornwallis K. G.
The Honble. Charles Stuart,
and
John Shore, Eſquire.

Secretary to Board of Rev. 19th Dec.

" To Edward Kay, Eſquire, Secretary to the Government.

" Sir,

" The Orders of the Governor General in Council, on the 19th ultimo, having been communicated to the Acting Collector of Budwan, I am directed to tranſmit you the encloſed Copy of his Reply for the Information of his Lordſhip in Council.

" Calcutta, " I am, &c.
the 19th December 1788. (Signed) " J. H. Harrington, Secy."

(Copy.)

Encloſure.

" To John Shore, Eſquire, Preſident, and Members of the Board of Revenue.

" Sir and Gentlemen, Fort William.

" Immediately on the Receipt of your Letter of the 25th ultimo, I communicate to the Rajah in Writing the Orders of the Governor General in Council, in the Event of his not diſcharging the Fine impoſed upon him within Four and Twenty Hours, and I have the Honour to inform you that the Rajah in Conſequence complied with my Demand, and has paid into the Treaſury the Sum of Sa Rs 5,000.

" I have the Honour to be, with Reſpect, &c.

" Burdwan, (Signed) Thos Brooke, Aſſiſtant Collr.
the 4th December 1788.

Revenue Board—A true Copy.
(Signed) " J. H. Harrington, Secy.

(Signed at the End of the Conſultation)
" Cornwallis,
Cha. Stuart,
J. Shore."

To ſhew that the Maſſacre of the Troops at Shewallah Gaut was not a ſudden Affray, as ſtated in the Charge, but an Attack by the regular Forces of the Rajah Cheit Sing:

Read, the following Extract from Page 248, of the printed Minutes.

" That on the Day that the Three Gentlemen and the Two Companies of Engliſh Sepoys came to the Rajah, and the Circumſtance of his Arreſt was known, the Rajah's People (who were then ſtationed round Shewallah) to the Number of about Four thouſand, were armed and prepared for Action; that at this Time Munnihar Sing, Seuamur Sing, and Nunkoo Sing, went to the Rajah: That the Diſturbance and Diſpute at the Gate ran high, and encreaſed every Moment. That the Huzzoories, Peadahs, and others, with their Arms, got upon the Chuppers which were erected againſt the Wall on the Outſide; that the Matchlock Men fired upon a Company who were without Shewallah; that the Deponent counted Seven Matchlocks which were fired, and ſaw a Sepoy fall by the Firſt Shot; that the Moment [illegible] was heard, the Rajah's People forced their Way Sword in Hand into Shewallah [illegible] tlemen and Sepoys to Pieces; that the Rajah Cheit Sing eſcaped during [illegible] nagur, and from thence to Lutteeſpoor.

" Sworn (the Contents being firſt explained to the Deponent by William Davy Eſquire), 3d Day of December 1782.
(Signed) " E. Impey.

(At the End of the A[illegible]
(Signed) " Sheakh Mah[illegible]

« The Depoſition of Biſhen Sing, Subadar, relative to the Action at Shewallah Ghaut.

« Upon his Oath, ſays, That in the Morning of * , Lieutenants Scott and Symes gave Orders that Two Companies of Grenadier Sepoys ſhould be got ready; that the Companies were immediately paraded, and that the above Gentlemen marched with them to Shewallah, where the Rajah Cheit Sing reſided; that Lieutenant Symes with One Company took Poſt within the Firſt Gate; that the Company under Lieutenant Scott ſtationed themſelves at the Inner Gate; that Lieutenant Stalker ordered him to poſt a Guard of a Havildar and Twelve Sepoys at the ſmall Gate leading to the River, and another Guard at the Gate opening from thence into Shewallah; that he poſted Guards as he was ordered, and that he ſent out a Havildar to ſee what Number of Men were in the neighbouring Gardens and Cantonments, and what they were about; that the Havildar brought back Information, that the Rajah's People were all arming themſelves, and loading their Matchlocks; that he communicated this Intelligence to Lieutenant Stalker, and added, that the Rajah's People were certainly preparing to attack them; that at this Period the Rajah's Buxey arrived: that he went in to Cheit Sing, and that he ſaw him make a Motion with his Hand as one ſtriking with a Sword; that the Deponent ſaw this from the Inner Gate where he was ſtanding; that Cheit Sing's People became turbulent, exclaiming on all Sides, that they (the Engliſh) had made their Rajah a Priſoner, and calling out to attack them; that he found it neceſſary to order the Sepoys to fix their Bayonets, and that he ſent Information to Lieutenant Stalker, that they were about to be aſſaulted! in conſequence of which, Lieutenant Stalker came out to the Place where Lieutenant Symes was poſted with his Company: that Lieutenant Symes, pointing to the Rajah's People with his Hand, told Lieutenant Stalker, that thoſe People were going to attack him; that Lieutenant Stalker ſpoke to the Rajah's People, and returned, and that the Clamour in ſome meaſure ſubſided; that at this Juncture Munnear Sing, and his Son Nunkoo Sing, and Suamur Sing, arrived, and ſeated themſelves by the Rajah; that at this Inſtant, an Hircarrah brought Intelligence to the Rajah, that another Company of Engliſh Sepoys were coming from Murwarry, and that they were arrived near at hand; that at this Period, one of the Rajah's Matchlock Men fired at the Company, which was advancing; that the Moment the Report of the Matchlock was heard, the Rajah's People within, who were alarmed, became very turbulent; the Noiſe and Confuſion increaſed, and Lieutenant Scott came out and enquired into the Cauſe of it; that the Action immediately commenced within, and that Lieutenant Stalker called out to the Deponent to enter with his Company; that he attempted to obey the Orders which he had received, but that the Attack at that Inſtant began without the Inner Gate alſo; that it was no longer poſſible to enter with his Company; but that he nevertheleſs forced his Way in with about Twenty Sepoys; that Mohun Sing, Subadar, the Moulavy, and Cheit Ram (Mr. Markham's Chubdar), were firſt cut down; that Munnear Sing ſtruck at Lieutenant Stalker with his Scymetar, but without Effect; that Lieutenant Stalker made a Thruſt at Munnear Sing with his Sword, without Effect alſo; that Lieutenant Stalker threw the Sword from his Hand, and took a Scymetar from one of his orderly Sepoys, with which he continued the Action; that Nunkoo Sing afterwards made a Stroke at Lieutenant Stalker; that the Rajah's People, who were now aſſembled in great Numbers both within and without, charged the Engliſh Sepoys Sword in Hand, and continued the Attack till Lieutenants Stalker and Scott, with all the Sepoys, were cut down; that the Deponent's Arm was ſtruck off by the Blow of a Scymetar; that he received ſeveral other Wounds, and at laſt fell, and that he continued there among the Dead and Wounded, until a Company of Sepoys came and carried off thoſe who remained alive.

« Biſhen Sing, Subadar."

* Sic in Orig.

« Sworn before me (the Contents being firſt explained to the Deponent by W. Davy Eſquire) this 3d Day of December 1781.

« E. Impey."

To ſhew the Conduct of the Rajah Cheit Sing, ſubſequent to the Maſſacre at Shewallah Gaut, and particularly that at the Time of his writing the Letter to the Defendant, ſtated in the Charge, he had a conſiderable Force; that he was exciting the Country againſt the Engliſh, and iſſuing Mandates to put them to Death wherever they could be found,

Read, from Book 518, already delivered in, the following Extract of a Conſulta- e 7th September 1781, beginning at Page 176 of the ſame Book:

« Fort William, the 7th September 1781.

« At a Council; Preſent,
Edwd Wheler, Eſquire.
Honble. the Governor General abſent on a Viſit to the Northern Provinces.
tenant General Sir Eyre Coote, K. B. abſent on Service at Fort St. George.

The following Letter from the Acting Chief of Patna:

" To the Honble. Warren Haſtings, Eſquire, Governor General, &c. Council.

" Honble. Sir and Sirs,

Acting Chief at Patna, dated 28th Auguſt.

" The apparent Aſpect of Things in theſe Provinces has induced me to communicate to the Honble. Board a Chain of Events which requires their moſt ſerious Attention.

" Since the Revolt of the Rajah Cheyt Sing the 16th Inſtant, every Communication by Dawk has been cut off from hence to Benares; and ſo well has he concerted Meaſures, that we can obtain no Intelligence whatever from that Quarter.

* Sic in Orig.

" It was the 24th, before Major Eaton commanded * ing at Buxar, had the leaſt Intimation of the Inſurrection, with Orders to detain the Dawks, which was accordingly done, and Major Crauford ordered immediately to march with his Regiment from Dinapore, and proceeded accordingly the 22d, and would reach Buxar the 25th, where he was to carry on the Dawks which had been detained.

" Six or Eight Days have now elapſed without any accurate Intelligence having been received from the Governor General or any of the Party, but that of his being ſafe at Mulwauty, a Garden Houſe in the Neighbourhood of Benares, and ſome dubious Intelligence of his having retired to the Garriſon of Chunar Gurrh.

" I have hit upon every Expedient for acquiring the moſt authentic State of Affairs in thoſe Parts; and learn daily from the Boatmen and other Natives in paſſing this Place, that the whole Banks of the River through the Rajah's Country are lined with armed Men, who board and fire upon all Boats indiſcriminately; that ſeveral Europeans have had very narrow Eſcapes, and have got to Buxar; and Mr. Huggins, a Merchant of this Place, on his Way up the Country, had ſome Difficulty in returning hither.

" I have diſpatched private Hiccarrahs by different Routs, to the following Gentlemen, at their reſpective Stations:—Mr. Middleton, at Lucknow; Colonel Hannay, in the Gorruckpoor Country; Colonel James Morgan, commanding the Brigade at Cawnpore, and Captain Williams, bordering upon the Raujah and Sircar Saurun Diſtricts, to appriſe them of thoſe Events. In ſhort, I have taken every Precaution that human Wiſdom can deviſe to get the beſt Intelligence.

" I have iſſued neceſſary Orders to Major Alexander Hardy, commanding the Militia Sepoys, to collect his People, as many as can be ſpared, from the Collections wherever diſperſed, in order to protect the City, ſecure the Treaſure, the Inveſtment of Piece Goods, Opium, &c. manufacturing at preſent in the Dutch Factory, and to ſuppreſs all Tumults, or any apparent Diſturbances that may happen by the diſaffected in the City.

" Theſe Meaſures being taken as abſolutely neceſſary, have been put into Execution with the greateſt Secrecy and ſeeming Indifference, to prevent any Alarms or Diſtruſt from the Natives of Patna. I ſhall, from Time to Time, communicate to the Honble. Board the Intelligence I may hereafter obtain.

" I have the Honour to be, with great Reſpect,
Honble. Sir and Sirs,
" &c. &c. &c.
(Signed) " J. Roſs,
acting Chief of the Province."

" Patna,
28th Aug. 1781.

" P. S. Since writing the above, I have received the following Intelligence.

" Extract of a Letter from Captain Noke, commanding a Battalion in Major Moſes Crawfurd's Regiment, at Buxar, on its Way to Benares, dated 25th Auguſt 1781, to Captain Hawkeſley Hall at Dinapore.

' It is from Fellows diſguiſed in ſtrange Habits, that arrived to Day from Chunar. They ' came in here while we were at Dinner with Major Eaton, with Intelligence, and gave us to ' underſtand, that the Country all the Way from the Carrumnaſſa to Benares was lined with ' Troops; and it was not poſſible for a Detachment of leſs than Four Battalions, and as many ' Guns, being * arrived at ſuch a Pitch of Diſtraction, as to think of moving that Way, much ' more to attempt it. They alſo ſay, that a few † remaining Four Companies of Popham's Re- ' giment, that was left at Mirzapore, had attempted to join the Six that had retired to Chunar ' with Mr. Haſtings, had ſuffered an aſtoniſhing Loſs: They were unhappily intercepted in a ' narrow Paſſage in ſome of the Streets of the Town, and were butchered in a moſt inhuman ' Manner. Poor Captain Mayaffree, of Artillery, who had Six Field Pieces and Two Howitzers ' under his Command, was furiouſly aſſaulted, and his Head ſtruck off, which was carried about ' the Town as a Trophy. This unfortunate Gentleman had alſo the Company of [illegible] ' that Sir Eyre Coote brought from Madras, conſiſting of 100 ſtrong, who were [illegible] ' hacked to Pieces, and only Fourteen of them eſcaped into Chunar; about Fifty [illegible] ' of Popham's Four Companies are alſo eſcaped to that Place. Poor Jonathan [illegible] ' of the ſlain, at the Reſcue of the Rajah, and Five poor Fellows of the Arti[illegible] ' mean killed and wounded with Captain Mayaffre. To complete our Misfortun[illegible] ' gence ſays, that Captain Maxwell and his Battalion are in great Danger, as Parti[illegible]

* Sic in Orig.

† Sic in Orig.

'laying in wait to intercept his Passage at the Gauts of the Gograh. In short, I very much fear 'there can no Assistance arrive at Chunar Ghur from any Place but Futtah Ghur and Cawn-'pore. Major Eaton has recommended to Major Crawfurd not to stir from hence till more fa-'vourable Accounts arrive. Lieutenant Adams and Mr. Perreau fortunately made their Escape 'from Gauzypore in the Night, and arrived here without Molestation.

'A Number of Dandees of the Governor's Fleet arrived here to Day, who gave an Account 'of several of their Brethren being tied together in a Bundle of Five or Six, and were chucked 'into the River and drowned, also others cut to Pieces.' (a)

"A true Extract.

(Signed)

"Ja^s. Ross, Acting Chief of the Revenue.

(Signed at the End of the Consultation)

"Edwd Wheler."

Read, also, a further Extract from the same Consultation, beginning at Page 182, of the same Book, as follows:

"To the Honourable Warren Hastings Esquire, Governor General, and Council.

"Honble. Sir, and Sirs,

"I deem it necessary to inform you, that I have received certain Intelligence of the Rebel Futty Saw's being in Arms, with a Body of about Fifteen Hundred Men, which he has been collecting for some Time in Rajah Cheyt Sing's Country, from whom he has received Supplies of Money for that Purpose. Mr. Græme, dated 27th August.

"The Battalion that was stationed at Burragong having, in Consequence of Orders from the Honourable the Governor General, marched from that Place on the 23d Instant, and no Force being left for the Defence of Houseepore, I was induced to make Application to the Commanding Officer at Dinapore for a Battalion of Sepoys, to be sent me without Delay; and I have now the Honour to enclose his Answer to my Requisition, from which you will perceive, that I can have no Assistance from that Quarter.

"It is not a little surprising, that Colonel Ahmuty should even suggest the Probability of my being furnished with a Force equal to the Service required from Major Hardy's Corps, which, it is well known, is so dispersed at different Stations throughout the Soubah Behar, that there are seldom more than a few Companies left in the City of Patna. That, however, nothing on my Part may be omitted, which carries the Possibility of saving Housseypore, I shall immediately apply to Major Hardy, though scarcely any Hopes present themselves of his being able to afford me any Assistance. I am also collecting together, with all Expedition, a Body of Burgundosses, both in the Sircar Sarun District, and in Housseypore, which may, in some Degree, tend to quiet the Fears that Futty Saw's Preparations have occasioned, and induce the Riots to continue to cultivate their Lands. But should Futty Saw, as it is probable he will, enter the Country, I hardly flatter myself, that any Force I can assemble, will prove adequate to drive him out again. A few Sepoys of the Militia Corps, who are at this Station, will accompany the Burgundosses.

"I have the Honour to be,
Honourable Sir and Sirs, &c. &c.
(Signed) "Charles Græme,
Collector of S. Sarun, &c."

"Chuprah,
27th August 1781.

"To Charles Græme, Esquire,
Collector of Sarcar Sarun.

"Sir,

"I am favoured by yours of the 24th, and am extremely sorry it is not in my Power to comply with your Requisition. The following puts it out of my Power to give the least Assistance to any one. The Force here is Nine Companies of a new raised Battalion, which have not been incorporated Three Months; the Arms they have are unserviceable; those Fire Locks which do fire, go off at Half Cock; the Cartridge Boxes are good for nothing; but allowing they were an old Battalion, and well armed, under our present Predicament, I could not detach a Man. The Communication between this and Benares is entirely stopped by Land and by Water. I hope Major Crawfurd's Regiment will open the Communication. No Dawks have come in from the [illegible]rd since the 18th. I hope the above Statement will make it appear clear to you the Im[illegible] detaching any People. Enclosed in Mr. Græme's Letter.

[illegible]t but you could get the Force you require from Major Hardy's Corps, as his [illegible] Standing, and more in Number than we have.

"I have the Pleasure to remain,
Sir, &c. &c. &c.
(Signed) Ar. Ahmuty."

A true Copy.
(Signed) J. K.

(a) Vide Appendix, N° CCLII.

" To Edward Wheler, Eſquire.

" Sir,

Mr. Græme, dated 28th Auguſt.

" All regular Communication between the Company's Territories and Benares, having been ſhut for theſe laſt Ten Days, I deem it incumbent on me to acquaint you with ſuch Particulars as have come to my Knowledge, through a different Channel.

A Detail of the Commencement of the Diſturbances at Benares, and the firſt fatal Conſequences produced by them, you have no Doubt received from the Governor General; the Account reached this on the 21ſt Inſtant, and on the 24th a Report of an Engagement between ſome of the Troops belonging to Chunar and Raja Cheyt's People, was current, but ſeemed to want Confirmation till laſt Night, when an Hircarrah belonging to a Gentleman who went up with the Governor General arrived here in Five Days from Benares; this Man tells me, that being on Board one of the Budgerows, he heard diſtinctly a conſtant firing during the whole Day near Ragnagur; that, in the Courſe of it, Two Officers, who appeared much wounded, were carried acroſs the River to Benares; that our Troops were defeated after having expended all their Ammunition, and the greateſt Part of them cut to Pieces. The Hircarrah ſays, the Governor General, and a Number of other Gentlemen, were in the City of Benares the whole Time, and did not leave it till ſome Time after Sunſet, when they all ſet out for Chunar; he likewiſe adds, that in conſequence of an Attempt made ſoon after the above Affair happened, to ſeize the Boats, in which ſeveral Hundreds of them were inhumanly maſſacred, he, with Twenty-one others, found Means to eſcape, and were proceeding towards Buxar, but they had not gone many Coſs, before them found themſelves ſurrounded, and the greateſt Part of them ſoon fell a Sacrifice to their Purſuers.

" The following is an Extract of a Letter, I received this Morning, from an Officer of Captain Maxwell's Battalion, which marched from Burragong, to join Major Crawfurd, at Buxar.

' The chief Cauſe of my writing this is, a Piece of Intelligence which Captain Maxwell ' received when croſſing the River, from three Officers who left Buxar this Morning, who had ' been on their Way to join Major Popham's Regiment. (They give the Particulars of the laſt ' Affair, which your Accounts mention to be a Battalion from Chunar.) It was a Detachment ' of Four Companies, with the Guns under the Command of Captain Mayaffre. They were ' attacked on their March through a Village, and cut off to a Man. Of the Body of Chaſſeurs ' (who were either with him on the March, or attempted to relieve him,) but 20 made their ' Eſcape to Chunar. They were a fine Corps, and had Two Guns attached to them, with a re- ' markable good Gunner. From theſe unfortunate Diſaſters, Popham's Detachment, which ' conſiſted of his own Regiment; and the Detachment of Artillery under Captain Mayaffre, is ' now reduced to Four Companies. His Regiment was firſt encamped at Murwadar, a Place ' diſtant about Two Miles from Benares. But where the Remainder is, I cannot find. Poſſibly ' made their Retreat good to Chunar. Eight Officers are ſaid to have fallen; amongſt theſe, was ' Captain Mayaffre, whoſe Head was cut off, and carried in Proceſſion on a Spear, through Be- ' nares. The Governor is poſitively at Chunar. Theſe Officers mention their having ſeen Major ' Crawford at Buxar, who is very anxious for our Arrival, but undetermined what to do. In the ' preſent Poſture of Affairs, I do not ſee what poſſibly can be done. A conſiderable Force is not ' only on the Banks of the Caramnaſſa, but the whole Way froom thence to Ramnagur. Our ' croſſing the River, under ſuch Circumſtances, would moſt likely be attended with bad Conſe- ' quences; for if we compared Matters, I think that Detachment of Mayaffre's, Four Companies ' of Sepoys, 99 Europeans, (the Number of the Chaſſeurs), with at leaſt Four, if not more ' Guns, and thoſe remarkable well ſerved, is equal, if not ſuperior to any Regiment of Sepoys. ' Theſe Circumſtances leave not a Doubt, that your Intelligence is better than any received.'

" As you will naturally be led to imagine, from the Intelligence of Major Crawfurd's Regiment being on its March to the Weſtward, that the preſent Diſturbances in Rajah Cheyt Sing's Country, will ſoon be terminated, I deem it neceſſary to acquaint you with the Difficulties which, from certain Information I have received, they will have to encounter, before a Junction can be formed with any of our Troops in the Neighbourhood of Benares.

" On the Banks of the Caramnaſſa, Buchut Roy, at the Head of 2000 Horſemen, 4000 Peons, and Six Companies of Sepoys, with Four Guns, are ready to oppoſe his croſſing that River. At Gauzipore, Bullub Ram is ready to aſſiſt Buchut Roy, with 2000 Horſemen, 4 or 5000 Peons, and Two Guns. And as Bulleah Meer Sheriff Ally, the Aumel of that Diſtrict, with 400 Horſemen, Two Companies of Sepoys, and 2500 Peons, will march on the firſt Notice they get of the Advance of this Regiment beyond the Caramnaſſa, the above Force, who will find no Difficulty in forming a Junction, if neceſſary, may be the Means of harraſſing and impeding (if nothing worſe happens) the March of Major Crawfurd's Regiment. At Dinapore you will obſerve by the Copy of a Letter from Lieutenant Colonel Ahmuty, the Commanding Officer there, encloſed in mine of the 27th Inſtant, there are not more than Nine hundred raiſed Sepoys, and that they have no Arms but what are unſerviceable; it will be [illegible] to expect Aſſiſtance from that Quarter, ſhould any Misfortune befal Major Crawfurd's Detachment, not to mention the inevitable Deſtruction which theſe Diſtricts will [illegible]

Caſe of ſuch an Event, with other bad Conſequences too dreadful to think of. I ſhall continue to communicate ſuch Intelligence as I may receive. (*a*)

" Chuprah, 28th Auguſt 1781.

" I have the Honour to be, Sir, &c. &c. &c.
(Signed) " Charles Grœme."

Read, from Book 688, the following Extract of a Conſultation of the 28th September 1781, beginning at Page 507 of the ſame Book.

" Fort William, the 28th September 1781.

" At a Council; Preſent, Edward Wheler, Eſquire.

Rev. Dept. Friday.

The Governor General abſent on a Viſit to Oude.

Collector of Sircar Saum, L. R. No. 582.

" Read, the following Letter juſt received from the Collector of Sircar Sarum:

" To the Honble. Warren Haſtings, Eſqr. Governor General, &c. Members of the Supreme Council.

" Honble. Sir and Sirs,

" It is ſome Time ſince Intelligence had reached me of Rajah Cheyt Sing's having ſent Letters to many of the Zemindars within theſe Diſtricts of an alarming Tendency, and one of that Nature addreſſed to Durg Dirjoo Sing, a Perſon who is poſſeſſed of a ſmall Zemindarry on the Confines of Hauſſeypoore, was carried by himſelf to the Amul of that Place, who tranſmitted it to me. The Letter has the large Seal of Cheyt Sing's Government affixed to it, and contains an Invitation to Dirjoo Sing to join him with his People, and kill every European and Sepoy he meets with; two Zemindars of Sirca Sawn had abſconded and gone into Cheyt Sing's Country previous to my Knowledge of this Affair, and a Sezawul was ſent to collect the Balances that were due to Government by one of them, named Bejey Saw, but he had not been able to realize any Part of them, and this Day I have received Accounts that Bejey Saw with a Body of 200 Armed Men has returned to his Tallooka and ſeized the Sezawul.

" Futty Saw is come into the Diſtrict of Houſſeypore of which he has taken Poſſeſſion, having driven all the Gomaſtahs and Servants of the Renter from the interior Parts of it; Govindram Miſſer the Aumil is ſtill at Burragong, and has with him between two and three thouſand Burgundoſſes whom I have taken into Pay, and ſent thither with a View of preſerving at the Appearance of Authority, but without a Hope of their being able to drive Futty Saw out. He has been ſupplied with Money by Rajah Cheyt Sing, and is joined by Rajah Adjeet Mull, the Zemindar of Pergunnah Chawbarah in Sircar Sarun, and by Genoo Ray, a diſaffected Zemindar ſome Time ago expelled from his Zemindarry in the Vizier's Dominions; theſe three have collected a Body of about 8000 Men, and have, I am informed, 6 Guns with them.

" The Inhabitants of Sircar Champarun continue perfectly quiet; but it is much to be feared that Diſturbances from another Quarter will in a ſhort Time be raiſed in that Part of the Country. The Vakeel of the Napaul Rajah lately preſented a Memorial to the Committee of Revenues at Fort William, on the Part of his Maſter, laying Claim to ſome Tallooks adjoining to the Territories of the Muckwanny Rajah, which he wreſted from him by Violence. An Abſtract of the Petition was tranſmitted to me by the Preparer of Reports to the Revenue Department, who deſired Information on ſome Points neceſſary to be aſcertained, previous to a Deciſion being paſſed, which I have given him, and have not ſince received any Orders on the Subject. A few Days ago another Vakeel arrived here from Patna, and renewed his Demand, that the Tallooks ſhould be given up to the Rajah. He was informed, that as a Petition had been delivered at the Preſidency, the Matter did not reſt with me, and that I ſhould act agreeably to the Inſtructions that might be ſent me; he ſeemed ſatisfied with this, but before he left Chuprah declared openly, that if his Claim was not immediately admitted, and the Places in Queſtion put into his Hands, he would poſſeſs himſelf of them by Force.

" I made Application to the Commanding Officer at Dinapore for Troops, when Captain Maxwell's Battalion received Orders of March; a Copy of his Reply to my Requiſition I had the Honour to tranſmit you on the 27th ultimo. On the 7th Inſtant I again wrote to Colonel Ahmutty, to requeſt he would even ſend Four Companies, if a Battalion could not be ſpared, into theſe Diſtricts; but this he has alſo declined; a Copy of his Anſwer I now encloſe.

" Every Day produces freſh Inſtances of a determined Diſpoſition in the Inhabitants of Sircar Saum to throw off all Subjection to my Authority; a few only of the principal Zemindars are now here, and the Reſt, though repeatedly ſummoned to come in, have not paid the leaſt regard to my Or[illegible]erat Perſons deputed into the Mofuſſel, as Aumeens and Hircarrahs, ſent with Duſtucks, [illegible]ic Seal of the Diſtrict, and my Signature, have been abuſed and beaten, and obliged [illegible] executing the Purpoſes for which they were ſent.

" I have the Honour to be, &c.
781. (Signed) " Cha. Græme, Coll[r]."

(*a*) Vide ſupra Appendix, N[o] CCLII.

" To Charles Græme, Eſquire, Collector of Sircar Sarum, &c.

" Sir,

" I am much concerned at your Situation, and more ſo, as it is out of my Power to eaſe your Apprehenſions ſince theſe late Troubles begun. If I had Two Regiments more of Sepoys, I had Requiſitions made to me for different Detachments to employ them all. It was very diſtreſſing to me to be obliged to refuſe them, as neither having the Power or Ability.

" This Regiment is not fit for Service, nor will it theſe Four Months; and to detach any Part of them in their preſent Situation, would be cruel, eſpecially as an Oppoſition is expected, and alſo degrading of my Character as an Officer.—Another Reaſon why thoſe People ſhould not be ſent out is, that they inculcate ſuch a Habit of Lazineſs and lounging with each other, that it is the Ruin of a new Battalion ſhould they not have any Thing to do.

" I have made Application ſome Time ago for a Reinforcement, and have Reaſon to believe Troops are on their March; when they arrive, I will endeavour to aſſiſt you, but at preſent I am in a very defenceleſs State.

" Dinapore,
September 11th 1781.

" I have the Honour to remain, &c.
(Signed) " Ar. Ahmuty.

A true Copy.
(Signed) " J. Kneller.

(Signed at the End of the Conſultation)
" Edwd Wheler.
John Macpherſon."

Read, the following Extract, from the printed Minutes, beginning at Page 252 of the ſame.

" Affidavit of Captain Davy.

" Captain William Davy, private Perſian Tranſlator to the Honourable Warren Haſtings Eſquire, Governor General of Fort William in Bengal, &c. &c. maketh Oath and ſaith, That he underſtands the Perſian Language, and that the Paper hereunto annexed, is a true and faithful Tranſlate of the Perſian Verſion of the original Hindoo Depoſition, both hereunto annexed, to the beſt of this Deponent's Skill and Belief.

" Sworn before me this 12th Day of December 1781.
" E. Impey."

" William Davy."

" Tranſlation of the Depoſition of Contoo Doſs, rendered into Engliſh from a Perſian Verſion of the Original in the Hindoo Language, written by Bunny Mull Moonſhy, according to the Interpretation of Bauboo Juggut Sing.—The Deponent, and the Writer of the Perſian Tranſlate, ſworn before Sir Elijah Impey, one on the 2d, and the other on the 5th of December 1781.

" On the Firſt of the Month Ramzan, Wedneſday, in the 23d Year, Bauboo Soojaun Sing, appointing Diaram Aumeen, ſent him to Banaris; Diaram came, and made a Proclamation through the City, that whoever protected in his Houſe the Dependants of the Engliſh, or the Property of the Engliſh, ſhould be conſidered as a Criminal, and his Houſe be ſeized.

" Written by Contoo Doſs."

" Affidavit of Captain Davy.

" Captain William Davy, private Perſian Tranſlator to the Honourable Warren Haſtings, Eſq. Governor General of Fort William in Bengal, &c. &c. maketh Oath and ſaith, That he underſtands the Hindoſtan Language, being the Language of the Deponents Dadjoo Sing and Gobindram Miſſer; and that he faithfully and truly explained to the ſaid Deponents the Contents of the annexed Affidavit, in the Hindoſtan Language, before they had ſworn the ſame.

" Sworn before me this 22d Day of December 1781.
" Warren Haſtings."

" W. Davy."

" Affidavit of Dadjoo Sing and Gobindram Miſſer.

" Dadjoo Sing, and Gobindram Miſſer, make Oath, according to the Practice of their Religion, and ſay, That about the 12th of the Month of Baudoon, the Deponent Dadjoo Sing received a Perwannah or Letter from the Rajah Cheit Sing, dated the 4th of the ſaith Month; and that, about the 18th of the Month Kawar, the ſaid Deponent received a ſecond Letter from the ſaid Rajah Cheit Sing, bearing Date the 10th of the Mo[illegible]

both thoſe Perwannahs or Letters were peruſed by the Deponent Dadjoo Sing, and ſhewn by him to the Deponent Gobindram Miſſer, who read them alſo; and the ſaid Perwannahs or Letters were immediately ſent to Mr. Græme at Chuprah, by the Deponent Dadjoo Sing.

" And theſe Deponents further ſay, That having peruſed the annexed Papers in the Hindoo Character, marked Num. 7 D and Num. 7 E, they are the ſame Perwannahs or Letters which the Deponent Dadjoo Sing received as aforeſaid from the Rajah Cheit Sing.

" Dadjoo Sing,
Gobindram Miſſer."

" Sworn before me this 22d Day
of December 1781.
" Warren Haſtings."

" Affidavit of Captain Davy.

" Captain William Davy, private Perſian Tranſlator to the Honourable Warren Haſtings Eſq. Governor General of Fort William in Bengal, &c. &c. maketh Oath and ſaith, That he underſtands the Perſian Language, and that he received from Gomauny Lall, a Hindoo, who he believes underſtands both the Hindoo and Perſian Languages, a verbal Interpretation in Perſian of the annexed Papers, written in the Hindoo Language: And the Deponent further ſaith, That the Engliſh Papers hereunto annexed, are true and faithful Tranſlations of the ſaid Hindoo Papers, made from the verbal Interpretation in Perſian of the ſaid Gomauny Lall, to the beſt of this Deponent's Skill and Belief.

" W. Davy."

" Sworn before me this 12th Day
of December 1781.
" E. Impey."

" Tranſlation of a Letter from the Rajah Cheit Sing to Dadjoo Sing, written in the Hindoo Language and Character.—This Verſion made from the verbal Interpretation of Gomauny Lall, a Hindoo Moonſhy.

" Complimentary Introduction.

" Great Miſunderſtandings have come to paſs between me and the Engliſh; I therefore direct you, with your People, to join me the Moment you ſee this Order; every Encouragement and Support ſhall be given you by me—Let your Mind be at Reſt, and come with Speed.

" Wherever you meet with either Europeans or Sepoys, plunder and cut them off—Conſider this as particularly enjoined.

" Written the 4th of the Month Baudoon.

" Superſcribed by Cheit Sing in his own Hand, ' The Contents approved.'

" The Cover directed to Dadjoo Sing, and ſealed with the Seal of the Rajah Cheit Sing."

" Tranſlation of a Letter from the Rajah Cheit Sing, to Dadjoo Sing, written in the Hindoo Language and Character.—This Verſion made from the verbal Interpretation of Gomauny Lall, a Hindoo Moonſhy.

" Complimentary Introduction.

" It appears that you are united with the Engliſh—I therefore write to you, that living as you do under my Protection, the taking part with them will be attended with bad Conſequences to yourſelf.

" I direct that, immediately on the Arrival of this Order, you join the Rajah Futteh Sing, and ſee the Enemy; in this only you will find your Advantage—Conſider the above as moſt ſtrictly enjoined.

" Written the 10th of the Month Kawwar.

" If you act according to theſe Orders, you will obtain Honour thereby.

" [Superſcribed by Cheit Sing] ' The above is ſtrictly enjoined.'

" The Cover directed to Dadjoo Sing, and ſealed with the Seal of the Rajah Cheit Sing."

Read, a further Extract from Page 241 of the printed Minutes.

" It was alſo heard that Futteh Saw, and Genoo Roy, and Rajah Ajeet Mull, &c. had reſolved to attack the Captain, becauſe Letters had come from the Rajah Cheit Sing to all the Zemeedars, to this Purport, ' Wherever there are Dependants of the Engliſh, kill and drive them out.'

(Signed at the End of the Depoſition)

Denoo Sing."

Read,

Read, a further Extract from Page 236 of the printed Minutes.

" Tranſlation of the Depoſition of the Moonſhy Patnimul.—The Deponent ſworn before Chief Juſtice Sir Elijah Impey, 2d December 1781.

" The Depoſition of Patnimul Moonſhy. On the laſt Day of the Month of Ramzan, in the Year of the Reign Twenty-three, the Gentlemen went to Chunar. I was unable to accompany them for want of a Conveyance. Without Remedy, I remained in the Houſe of one of the Inhabitants for Eight Days. The Aumeen Diaram daily cauſed a Proclamation, to this Purport, to be made through the City; 'In the Houſe of whomſoever a Perſon belonging to the 'Engliſh Gentlemen may be ſecreted, let the Owner bring him to the Aumeen's Kutcherry and 'deliver him up; otherwiſe, (upon Proof) in the Houſe of whomſoever a Perſon belonging to 'the Engliſh ſhall be found, the Owner thereof ſhall be (conſidered) as a Criminal to the 'Government of the Rajah, his Houſe and Property ſhall be deſtroyed, and his Belly ſhall be 'ript open.'

Read, a further Extract from Page 241 of the printed Minutes.

" Tranſlation of the Depoſition of Ram Sing, Jemmadar.—The Deponent ſworn before Chief Juſtice Sir Elijah Impey, November 26th 1781.

" The Rajah Futteh Saw, and Genoo Roy, and Ajeet Mull, united themſelves all Three together, and bound themſelves by Oath; and theſe were the improper Reſolutions which they had agreed to; that they would croſs the River Gograh, and eſtabliſh their own Authority there, for Letters had arrived from the Rajah Cheit Sing at Benaris, in which he ſaid, 'All the Engliſh are 'cut off; the Government of the Engliſh is overturned; I have taken Poſſeſſion of the Country; 'do you, the Zemeedars, eſtabliſh your Authority alſo in thoſe Diſtricts.'—It was likewiſe publicly reported, that the Rajah Cheit Sing had ſent Fifteen thouſand Rupees in Specie to the ſaid Zemeedars, to raiſe Men, and kill and drive out the Dependants of the Engliſh wherever they might be.

(Signed at the End)

Ram Sing."

Read, a further Extract from Page 242 of the printed Minutes.

" When I arrived at Ram Kolah, which is about Fifteen Coſs from my Situation, I heard, from the general Reports of the People, that the Rajahs Ajeet Mull, and Futteh Saw, and Genoo Roy, who had been expelled from their Zemeedaries, and reſided with the Rajah Cheit Sing in the Country of Benaris, had all Three, by Orders from Saadut Ally Khan and Rajah Cheit Sing, marched from thence, and croſſed the Gograh, and taken Poſſeſſion of their Lands; and that the Rajah Cheit Sing had aſſiſted the ſaid Rajahs, with Five and twenty thouſand Rupees to drive out the Engliſh, [directing] that they ſhould drive them and all their Dependants out of their Diſtricts.

(At the End of the Depoſition)

" Hurdeaut Sing,
Sealed with his Seal."

Read, a further Extract from Page 238, of the printed Minutes.

Tranſlation of the Depoſition of Doond Sing, Commandant.—The Deponent ſworn before Chief Juſtice Sir Elijah Impey, November 26th 1781.

" It appears from the Letter of Ram Sing Jemmadar, ſtationed at Mutcholi, that the Rajah Ajeet Mull, the Rajah Futteh Saw, and Genoo Roy, had engaged themſelves to each other by Oath to croſs the Rivers Gogra and Surjoo, for as much as they had received a Letter from the Rajah Cheit Sing, and the Sum of Fifteen thouſand Rupees, to cut off the Engliſh in the Diſtrict of Surwur, and drive them out; and Letters have arrived from Futteh Saw, to all the Zemeedars, great and ſmall, to withhold the Collections, and not to pay a ſingle Daum to the Engliſh; and the ſaid Futteh Saw ſent near Two hundred Men, with Matchlocks, into the Jungle of Burragong, and near to Kunkooa. After Three Days, the Three Rajahs croſſed the River, and encamped in the Jungle; and it was reported from all Quarters, that the Zemeedars had ſhut up all the Ghauts on the Rivers, and ſunk all the Boats; and I wrote an Account of theſe Things to Major Macdonald and Captain Williams, and told them that there were great Diſturbances in the Country, and that there were Reports alſo that the Rajahs would croſs the River.

(At the End.)

" Doond Sing, Commandant, not knowing to write either Perſian or Hindoo, had made his Mark."

Read, a further Extract from Page 237, of the printed Minutes.

Tranſlation of the Depoſition of the Moonſhy Gore Perſhaud.—The Deponent ſworn before Chief Juſtice Sir Elijah Impey, 2d December 1781.

" When the Gentlemen marched for Chunar I was not informed of it. I knew it about Four Gurries after. In Terror for my Life, I ſecreted myſelf in the Houſe of Bauboo Duſſan Ram; I continued undiſcovered for One Day; the next Day the ſaid Bauboo Duſſan Ram ſaid to me, " To-day there has been a Proclamation through the City to this Purpoſe, Whoever has ſecreted a Follower of the Engliſh in his Houſe, let him produce and deliver him up, otherwiſe, on Diſcovery, his Houſe ſhall be ſeiſed, and he himſelf ſhall be ſeverely puniſhed. I cannot keep you in my Houſe, go from my Houſe to ſome other Place." Without Remedy I put on the Habit of a Fakeer, and took ſhelter in the Temple of Arnapoorna.

" Gore Perſhaud."

Read, a further Extract from Page 255, of the printed Minutes.

" Affidavit of Nathaniel Middleton Eſquire.

" Nathaniel Middleton Eſquire, on his Oath, ſaith, That he left Lucknow on the 19th Auguſt 1781, and joining the Nabob Vizeer at about Ten Coſs diſtant, proceeded with him towards Banaris. with an Intention to meet the Governor General, who was expected ſhortly at Lucknow: That about Three or Four Days after his Departure, he heard of the Diſturbance at Banaris, and of the Maſſacre of Three European Officers, with a Number of Sepoys, at the Inſtigation of Rajah Cheit Sing, which prevented the Governor General's ſetting out for Lucknow, as he had intended; and on his Arrival at Doudnagur, on the 24th of the ſame Month, he received imperfect Accounts, through the Channel of the Vizeer's public Intelligence, of the Retreat of the Governor General and his Party to Chunargur; and the ſame Account, as well as many others, ſet forth, that the Rajah Cheit Sing had iſſued his moſt poſitive Orders to all the Zemeedars and Officers of his Government, to put every European to Death that they could lay hold of; to ſeize and ſeverely puniſh any Natives who ſhould be found in the Service of or connected with the Engliſh; and in general, to uſe every Means in their Power to promote an Inſurrection throughout the Country; for which they ſhould be liberally rewarded: That he had alſo written Perwannahs, or Letters, to many of the Zemeedars of the Vizeer's Country, encouraging them to raiſe Diſturbances in their reſpective Diſtricts, and to aſſiſt him with Troops; for which he promiſed them large Sums of Money: That this Report was made to him repeatedly, through various Channels, and implicitly credited not only by himſelf, but he firmly believes by the Vizeer and every Man in his Retinue.

" Sworn this 27th Day of November 1781, before me, " E. Impey."

(At the End)
" Nathaniel Middleton."

Read, a further Extract from Page 257 of the printed Minutes.

" The Deponent further ſaith, That both from Obſervation and Information, he doth believe that a general and univerſal Inſurrection took place, before the 15th of September, in all the Country to the Eaſtward of the Gogra, from Mangee to Baraitch, and on its Weſtern Banks from the Borders of the Banaris Diſtricts to the Extremity of Kheirabad; that it was created and fomented by the Agents of Rajah Cheit Sing, diſaffected People at Fyzabad, and about the Vizeer's Court; and that the Expulſion of the Engliſh was its Object. In the Diſtricts of Gooruckpoor, and indeed in all the Pergunnahs below Fyzabad, it was generally aſſerted, and the Deponent never heard the Aſſertion contradicted; that the Rajah Cheit Sing furniſhed the principal Zemeedars, particularly the Rajahs Futteh Saw, Genoo Roy, Ajeet Mull, Zalim Sing, and Perty Pall Sing, with conſiderable Sums of Money, in order to ſubſiſt the Force they collected on this Occaſion; and that he granted them oſtenſible Certificates under his Seal, engaging to diſcharge whatever Expence they might incur in the Service of the Inſurrection. Theſe Certificates and Perwannahs they received, or pretended to have received, under the Seal of the Vizeer, confirming them in their hereditary Zemeedaries, and appointing them Aumils on the Part of the Sirkar in their reſpective Pergunnahs, gained them an unbounded Influence over the Inhabitants. The Aumils of the Country in general were obliged to fly from their Stations; the Nujjeebs and Sebundy joined the Inſurgents, or diſperſed; all Ferry-boats were ſunk or deſtroyed; many of the Dauck Hircarrahs were ſlain, and the reſt obliged to fly, which effectually cut off all Correſpondence, as well as Communication, and the Country remained in a State of Diſtraction which cannot well be deſcribed, until the Beginning of October; when the News of our Succeſs at Banaris, and the Nabob's Return to Lucknow, calmed the Tumult.

[redacted]orn this 26th Day of November 1781, before me,
" E. Impey."

" Alexander Hannay."

Read,

Read, a further Extract from Page 246, of the printed Minutes.

" My further Depoſition is as follows:

" On the Night of the ſame Day that the Army from Chunar was defeated, about Two Ghurries of the Night remaining, Bauboo Soojaun Sing arrived from Lutteefgur at Ramnagur. I heard from ſeveral Perſons, that the ſaid Bauboo had given Orders to his Troops and Chiefs, to make a Night Attack on the Governor General and the other Gentlemen who were in Mahadew Daſs's Garden. Accordingly, he employed his Troops in bringing Bamboo Ladders, and loading them on Boats, and every one was preparing for the Attack.

(Signed at the End)

" Gudgerauge Sing."

Read, a further Extract from the printed Minutes, beginning at P. 233, as follows:

" Tranſlation of the Declaration of Hyder Beg Khan, atteſted before Chief Juſtice Sir Elijah Impey, November 26th 1781.

" When I arrived at the Seray of Saume, the Governor General, Mr. Haſtings was in the Fort of Chunar. I was detained at the Seray by the Swelling of the River Burnau. The Vakeel of the Rajah Cheit Sing came to me, and delivered to me thus the Meſſage of the ſaid Rajah.—" I [Cheit Sing] have not been in any Manner deficient in my Obedience to the Gentlemen of high Rank [the Engliſh]—The Governor General arrived at Benares.—At the Inſtigation of Owſan Sing, Mr. Markham brought Two Companies, and put me in Arreſt.

" About Twelve o'Clock my People, ſtretching forth their Hands, brought me out from thence—For the Safety of my Life I came to Ramnagur, and from thence to Lutteefpoor,—After that, a Force came from Chunar to Ramnagur.—Owſan Sing wanted to ſeize upon Ramnagur. My People ſtood upon their Defence; an Engagement followed, and the Troops of the Governor General were cut off. I am now determined not to paſs by aught which may be in my Power to execute. Do you (i. e. this Deponent) write thus to the Vizeer of the Empire, " That if Support is given to me, I will collect together an Hundred thouſand Men, I will go even to Calcutta, and I will totally annihilate the Engliſh Government." I replied to the Vakeel, ' that this Conduct, and theſe Declarations, would be productive of Evil to the Rajah.—When the Companies came to confine the Rajah, he ſhould have gone that Moment to the Governor General.—People ſay that he heſitated whether he ſhould, or not, attend the Governor. If the Governor General had had any ill Intentions towards him, he would have called together the Company's Forces, who were ſtationed in different Parts—To what Purpoſe was it to come alone to Banaris? Or he would have ſeized him upon the Road. Such Intentions on the Part of the Governor General, from this Retroſpection, are not to be conceived. If a Maſter and a Ruler exerts his Authority, ſtill there is no Cauſe for Fear and Apprehenſion. On theſe Subjects, with which you are unacquainted, I will communicate Circumſtances as they are. His Highneſs is, in his Life and in his Fortune, joined and united with the Company, and the Engliſh Gentlemen. The whole of his Dominions is from them (or is theirs), nor does he wiſh that there ſhould be any Diſtinction between his and theirs. Such Regard more eſpecially does he pay to the firm and perfect Friendſhip which always ſubſiſted between the Governor General and his Highneſs the late Nabob, that he never will be led to deviate, even the Point of a Hair, from the Sentiments and Wiſhes of the Governor. As ſoon as his Highneſs hears theſe Things, he will march immediately with his Forces to meet Mr. Haſtings. Notwithſtanding the Governor General has repeatedly written to the Vizeer to forbid him, yet his Highneſs will now come on his own Determination. The Engliſh Forces too are near at Hand, they will ſpeedily arrive, and the Puniſhment will be ſevere, It is not well for the Rajah; he will be torn up by the very Roots.—To threaten alſo that which is out of his Power to execute, is improper; the Rank of the Rajah is nothing more than that of a Zemeedar; no one will pay Regard to his Attempts, and a ſmall Force will be ſufficient to chaſtiſe him. Far better will it be for him to lay aſide ſuch Thoughts as theſe, to implore Pardon of the Governor General, to give up his Forts, and ſend back to him the Boats and the whole of the Baggage; or rather, it would be better that he himſelf ſhould go alone, and with his Hands bound, into the Preſence of the Governor.'

" Again he brought this Meſſage from the Rajah: ' I can no longer rely with Safety on the Engliſh. If you ſay thus, do you interpoſe, obtain Pardon for my Faults, and take upon yourſelf to ſettle the Subſidy.' I ſaid in Reply, ' Your Crimes have been too great; you have attacked the Troops of the Company. I cannot preſume to take upon myſelf to ſettle your Affairs, and to obtain Pardon for your Crimes. If you have actually reſolved on a Change of Conduct, return the Boats and the Baggage, and give up Ramnagur, Lutteefpoor, and Pateeta. Supported by ſuch Proofs, I will once endeavour to obtain a Pardon for you; to grant or to refuſe will reſt with the Governor General.' The Perſon who brought the Meſſage ſaid in Anſwer, ' The Intentions of the Rajah are to ſeize upon the Fort of Chunar, and to extend his Government as far as Calcutta, and you tell him to deliver up Ramnagur, Lutteefpoor, and Pateeta!' I ſaid, the Rajah, it appears, aſpires to the Empire, yet his Rank is only that of a Zemeedar! his Attempts will draw down Deſtruction upon him; he will be extirpated in a Moment.'

Converſation, he promiſed to return the Boats, but he never performed his Promiſe. An Animoſity to all the Engliſh, plainly and evidently appeared from the Language of the Rajah's Vakeel: he repeatedly ſaid, that he would go even to Calcutta, and that he would expel the Engliſh, nor would he be deficient in aught which he had the Power to execute. When he found that he had nothing to hope from my Interpoſition, he began to act hoſtilely towards me alſo. He denied me Boats to croſs the Burna, and he directed the Tribe of Gurkbunſee to attack me in the Night. During the few Days that I continued there, we were obliged to keep ourſelves ready for Action, and be upon our guard Day and Night. In the Neighbourhood of Jounpoor, the People of the Rajah wounded ſeveral of the Stragglers belonging to the Cavalry in his Highneſs's Service, who were coming to join me, and carried off ſome Horſes. And the People ſtationed at Azumgur, who came in to me, ſet forth, That Nadir Shah, the Son of Azum Shah, Zemeedar of Azumgur, which was formerly under the Government of Cheit Sing, had, by Directions from the Rajah, gone to Azumgur and raiſed Diſturbances. And the Vakeel of Cheit Sing, in the Courſe of his Converſation, ſaid, that the Rajah had ſent Forces towards the Carramnaſſa, and even to the Walls of Patna; and that Letters were gone to the King, to Nujjuf-Khan, and to Sindiah. Zaulim Sing, formerly expelled from Amurdeh, was at Budlapoor, in the Goverdment of Cheit Sing: He alſo went to Amurdeh, in the Territories of the Nabob, and raiſed Diſturbances. It appears that the People of Budlapoor accompanied Zaulim Sing. Such were the Reports communicated to me by the People of that Place. Finding it impracticable to croſs the Burna, where I was, without Boats, I marched from thence, and croſſing higher up, where the River was fordable, I proceeded to join the Governor General.

" This Account of what I heard, and of what I ſaw, I have truly and faithfully related. There may be a Difference between the Idioms of the Hindoſtan and Perſian Languages, but there is none in the Senſe. I ſwear by the Almighty, that I have truly wrote, without Diminution or Addition, all that I heard and all that I ſaw, and nothing but the Truth.

" Hyder Beg. That which is written is true."

" Sealed with his Seal."

Read, a further Extract from the printed Minutes, beginning at Page 126, of the ſame, as follows:

" The following is a Catalogue of Cheit Sing's whole Force, which has been ſince delivered to me by one of his principal Officers; and as it made a Part of a ſworn Affidavit, I admit and credit it as genuine. It is certainly not exaggerated.

" Liſt of the eſtabliſhed Forces in the Service of Cheit Sing.

" Cavalry, Sepoys, Matchlock Men, &c.

Cavalry, — — — — —	1,700	
Select Troops, or Body Guard, Horſe and Foot — —	700	
Sepoys — — — — —	1,150	
Matchlock Men — — — —	1,800	
Attached to Bullam Daſs, Horſe 300, Foot 500 — —	800	
With Soojaun Sing, Cavalry and Infantry 500, with 2 Guns, Sepoys and Artillery Men, 340 — — — —	840	
With Munnear Sing, Cavalry and Infantry — — —	700	
Total Eſtabliſhed Troops —		7,690
Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.		
Firſt, entertained at Lutteefpoor, Matchlock and Sword Men —	2,000	
Second, Nujjeeb, Sword Men from Lucknow — —	1,000	
Total —		3,000
Troops aſſembled from different Places.		
Horſe and Foot with Juggur Dew Sing — — — —	500	
Matchlock Men arrived with Bukht Sing, by Order from the Rajah —	1,200	
With Gomaun Sing, ſent for by the Rajah, Matchlock Men —	500	
From the Fougedar of Biddevee arrived, Matchlock Men —	1,000	
Rajeepoots of the Tribe of Rugbunſee from Kurraukut — —	3,000	
Arrived with Dillun Sing, Fougedar of Mukurun Badſhahpoor, Matchlock Men — — — —	1,500	
Cavalry and Infantry arrived with Rezza Cooli Khan, from Mirzapoor	300	
Rajeepoots collected from Agoree and Purwah, by Dia Lutchoo —	500	
Of the Tribe or Caſt of Khummaur, collected by Soojaun Sing —	1,000	
Sword and Matchlock Men with Ramjeeawun — —	2,000	
		11,500
Total Troops in the Service of Cheit Sing —		22,190

Which are to be added, Huſbandmen and Adventurers who took up Arms voluntarily, making the foregoing Number amount to near Forty Thouſand."

" Theſe

" Theſe Forces were divided between Lutteefpoor, Pateeta, and Ramnagur. The beſt reputed of them were at Pateeta, and the great Maſs, compoſing the laſt Corps, with a Part of the others, at Lutteefpoor with the Rajah, who had fixed his Reſidence at that Place ſince his Flight from Shewallah Ghaut.

" Before I proceed, it may not be improper to ſtate the other Reſources on which he, not very unreaſonably, depended for lengthening the War, if not for Succeſs in the Courſe of it.

" Firſt, his Fortreſſes; of which there are many, and ſome of conſiderable Extent and Strength, erected in various Parts of the Zemeedary. Of theſe the Two Principal are, Bidjeygur and Lutteefpoor. Ramnagur ſcarcely deſerves to be named with them; and Pateeta has been rendered conſiderable only by its having been a capital Sceene of his Oppoſition, and of our Victories.

" Bidjeygur is a Fort erected on the ſolid Rock of a Hill, riſing to the Height of 745 perpendicular Feet from the level Ground. It lies about Fifty Miles in a South-eaſt Direction from Chunar. It was the Depoſitory of all his and his Father's Treaſures.

" Lutteefpoor is a large Fort, built with Stone, and ſurrounded by Hills, and, either from Neglect or Deſign, obſtructed from diſtant View by Trees and thick Shrubs ſurrounding it. It lies about 14 Miles Eaſtward from Chunar.

" Pateeta is a very large Town, ſurrounded by a Rampart of Earth, extending to a great Diſtance beyond it to the Hills adjoining. The Fort itſelf is a ſmall ſquare Houſe of Stone, itſelf fortified with Four round Towers, and incloſed with a high Rampart, and a Ditch which is in moſt Parts broad and deep. Its greateſt Advantage againſt an Enemy, to whom Delay was Defeat, was that it was invinſible to its Aſſailants.

" Ramnagur has been deſcribed already. The other Forts, whatever their Conſequence under a different Train of Succeſſes might have been, are of none to the Events of this Narrative.

" His next great Reſourſe was his Wealth; on which he looked, and thought himſelf invincible; an Expreſſion which I borrow from one of the meaneſt of his Dependants. It is credibly affirmed, that he inherited from his Father, Bulwant Sing, a complete Crore of Rupees, to which it is believed that he made conſiderable Additions.

" The Diſtreſſes of our Government, and the Power and Number of its Enemies, may alſo be reckoned, though Negative, yet amongſt his Reſources. The reſt were deluſory, which the falſe and violent Counſels of his Brother Soojaun Sing, and his Buxey Suddanund, impoſed on his Inexperience, and the Pliancy and Aptitude of his Diſpoſition.

Read, a further Extract from Page 248, of the printed Minutes.

" The Deponent further ſays, That after the Detachment from Chunar was repulſed near Ramnagur, and obliged to retreat, Soojaun Sing and the Buxey Suddanund arrived with Troops at that Place, and that by Orders from the Rajah they prepared Scalling Ladders, &c. in order to make a Night Aſſault on the Garden of Mahadew Daſs; that Boats were prepared, and Guns and Troops marched down to the Ghaut of Auſi Sungum; that the Sepoys belonging to the Deponent refuſed to croſs the River until they had obtained ſome Refreſhment, having been without Food for Two Days; that the Night paſſed away without any Thing being done, and that the Governor General on that Night quitted Benaris, and arrived at Chunar; that Soojaun Sing and Suddanund Buxey wrote a Complaint to Cheit Sing againſt the Troops under the Command of the Deponent the next Morning; and that Soojaun Sing ſent a Company of his own Sepoys to take Poſſeſſion of the Garden of Mahadew Daſs; that they plundered the Property of the Gentlemen at that Place, and returned to Ramnagur.

(At the End of the Affidavit)

(Signed) " Sheakh Mahommed Aumeen Mhiur."

" Sworn (the Contents being firſt explained to the Deponent by William Davy, Eſquire,) this 3d Day of December 1781.

(Signed) " E. Impey."

Read, a further Extract from Page 249, of the printed Minutes:

" Liſt of the Eſtabliſhed Forces in the Service of Cheit Sing.

" Cavalry, Sepoys, Matchlock Men, &c.

		Number.
Cavalry		1,700
Body Guards, or ſelect Troops, Cavalry and Infantry		700
Sepoys		1,150
Matchlock Men		1,800
Attached to Bullum Dans	Horſes 300, Foot 500 } Total	800
With Soojaun Sing	Cavalry and Infantry	500
Sepoys and Artillery Men with Two Guns		340
With Munneat Sing	Cavalry and Infantry	70[illegible]

			Brought forward —	7,690

"Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

Firſt, entertained at Lutteefpoor	—	Matchlock Men and Sword Men	2,000	
Second, — Nujjeeb	—	Sword Men from Lucknow —	1,000	
				3,000

" Troops aſſembled from different Places.

Infantry and Cavalry with Juggurdeave Sing — — —			500	
Matchlock Men arrived with Bukht Sing, by Orders from Rajah —			1,200	
D° with Gooman Sing, ſent for by the Rajah — — —			500	
D° from the Fougedar of Bidduwy — — — —			1,000	
Raujpoots of the Tribe of Kugbunſie from Kurraukut — —			3,000	
With Dillun Sing, Fougedar of Mukurun Baudſhaapoodmate — —			1,500	
Cavalry and Infantry arrived with Ruzza Rool Khaun — —			300	
Raujpoots collected from Agoree and Purwah by Dea Lutchoo —			500	
D° of the Tribe of Cummur collected by Soojaun Sing — —			1,000	
Sword and Matchlock Men with Ranju Awun — — —			2,000	
				11,500
			Total Troops in the Service of Cheit Sing —	22,190

Towhich are to be added Huſbandmen and Adventurers who took up Arms, making the foregoing Number amount to near 40,000 Men.

(Signed) " Sheakh Mahommed Aumeen Mhiur."

" Sworn (the Contents being firſt explained to the Deponent by William Davy, Eſquire) this 3d Day of December 1781.

(Signed) " E. Impey."

Read, a further Extract from Page 125, of the printed Minutes.

" I muſt not omit, in this Place, an Inſtance of Vengeance which marks the ſanguinary Character of Cheit Sing, and too ſtrongly proves, that if the other Exceſſes committed by his People were not authoriſed by his expreſs Order, they were perpetrated under the Influence of his Example, and the Knowledge of his Inclination.

" Fourteen Men of the Corps of Rangers had been left ſick at Mirzapoor, when the Remainder of Major Popham's Detachment marched under the Command of Captain Mayaffre, to Ramnagur. They were made Priſoners, and ſent to Lutteefpoor. They arrived there on the 3d of September, about the ſame Time that News was received of Captain Blair's Action at Pateeta, which happened on that Morning. What Provocation they gave, or whether any, is not known: It is ſurmiſed, but I know not the Authority, that One of theſe unhappy Men expreſſed a Joy on hearing that our Arms had been ſucceſsful. They were all butchered on the Spot, and almoſt in the immediate Preſence of the Rajah, except one Man, who made a Shift to crawl with a mangled Body to the neighbouring Woods, where he ſubſiſted for a few Days, returned to the Fort, received Mercy, and is ſtill living, and in our Camp.

Read, a further Extract from Page 220, of the printed Minutes.

" To the Honourable Warren Haſtings, Eſquire.

" Honourable Sir,

" I had the Honour to addreſs you Yeſterday from Lora, and I now adviſe you of my having this Morning taken Poſſeſſion of the Fort of Lutteefpoor, the Rajah having evacuated it Yeſterday Afternoon, and puſhed acroſs the Hills to Bidjeygur with moſt Part of his Followers; thoſe remaining, amounting to about Seven or Eight Hundred, followed his Example. At my Approach I found one of the French Soldiers, who informs me, the reſt were inhumanly maſſacred about the 4th Inſtant; that he received a Wound and pretended to be dead, until the barbarous Raſcals had quitted the Place, and then he crawled out to the Hills, where he lay concealed for ſeveral Days.

(Signed at the End of the Letter)

" J. W. Crabb."

Read, a further Extract from Page 264, of the printed Minutes.

Affidavit of John Honore Mordelait, Private of the Company of Chaſſeurs.

[illegible]hn Honore Mordelait, Native of Corbell, a Province in the Iſle of France, declares upon [illegible]t being ſick at Mirzapoor, he was left behind with Fourteen of his Comrades, himſelf included

included, all of whom belonged to the Company of Chaſſeurs commanded by Captain Dixat, when the ſaid Captain marched with the Troops which compoſed the Detachment commanded by Captain Mayaffre: That upon his Departure, the Rajah of the Place made them come within his own Premiſes, for the greater Safety againſt the Thieves which ſurrounded them: That on their repreſenting they had no Money to ſupply themſelves with Food, he cauſed them to be given ſomething to eat every Day by a Banian: That he comforted them, and aſſured them, that upon ſeeing what paſſed round his Seraglio, he ſought for Means to tranſport them to Chandernagore: That from that Time he did not return: That the Command having then devolved upon the Second, he had them called before him on the Thirtieth, and gave them Two Rupees each, to ſerve for the Journey of Two Days they were to take: That he let them know his Orders were to ſend them from thence; and that he had alſo received Orders to ſink all the Boats paſſing by Mirzapoor: That during this Time, Fifty of his People were ſent to ſeize their Arms; and that thoſe People took an Inventory of what belonged to the Company: That the next Day they were obliged to begin their Journey, with their Baggage placed on Camels, which they were obliged to mount; and thoſe who refuſed, received violent Blows with a Whip: That during their Route every Sort of Indignity was offered to them: That they ſpit in their Faces; and beat them ſo, that on the ſecond Day one of his Companions was ſo happy as to die: That the Road they took was through narrow Paſſes, between Mountains; and that with the Circuits they made, he believes the Journey to Laitiffghur, where they arrived the 2d of September, was more than 40 Coſs: That at the Cloſe of the firſt Day they ſtopt at a ſmall Fort in the Paſſes, where their Ill-treatment was redoubled: That being arrived at Laitiffghur, the Perſons who came with them diſperſed: That they were ſurrounded for Two Hours, and remained there, among about Two or Three thouſand People, who inſulted them groſſly; and particularly accuſed them of having aſſaſſinated the Rajah of Gwallior: That one of their Companions, named Francois, was taken before the Rajah, and declared to them, at his Return, that the Rajah had aſſured him that in caſe he brought the French Company to him, he ſhould be provided for: That afterwards they were conducted out of Laitiffghur in the ſame Manner as before, guarded by ſome Sepoys and other armed Men, to a ſmall fortified Houſe beyond Laitiffghur, One Coſs on the Road from Beejahghur: That thoſe People remained there to guard them: That they had nothing either to eat or drink given to them: That the next Day, being the Third, a Chief of Laitiffghur, with Ten Sepoys, and about Forty armed Men, made them go out to the Diſtance of a Muſket Shot from the Houſe: That they tied their Hands behind their Backs; and that in this Poſition they told them to eat; ſhewing them Proviſions in Baſkets at ſome Diſtance: That after having amuſed themſelves for an Hour or two with their Miſery, theſe Barbarians drew their Sabres and began the Maſſacre: That the Deponent had a Bayonet paſſed through his Body, and a violent Kick on the Reins to make it come out: That in this Situation he feigned Death; and Two of his Companions falling upon him covered the Deceit: That the Murderers retiring after this Carnage, he had Strength enough to retreat to the Jungles, Twenty Paces from the Place: That he paſt the Night at the Mercy of the Tigers: That on the next Day being parched with Thirſt, he went down to a Brook to drink: That he was ſeen by ſome Country People, and carried to the Place which he had left the preceding Day: That the Inhabitants aſſured him his Life was in no Danger: That their Chief gave him Eight Pice every Day for his Wife and himſelf, which Subſiſtence was continued to him by means of a Guard, which was mounted and relieved every Day from Laitiffghur. That he did not recollect the Perſons of any of the Murderers among the People here: That on the 20th, the Day the Rajah fled from Laitiffghur, after he and his Troops had paſſed near the Spot where the Deponent was, he went to Laitiffghur unmoleſted, and was even ſet at Liberty by the Inhabitants: That in the Night from the 20th to the 21ſt he was obliged to lie concealed to ſave himſelf from the People, who were pillaging on all Sides: That the next Morning, at the Entry of Major Crabb, he was diſcovered, and fortunately placed in Safety from all further Purſuit. The Deponent moreover declares upon Oath, That he believes the Maſſacre proceeded from a deliberate Act, and that it could not have been occaſioned by any Cauſe, his Companions and himſelf being too ſorrowful to ſhew any Sign of Joy, as they had abandoned themſelves to Death after the Ill-treatment they had met with: That on the contrary, when on the Morning of the Maſſacre they heard the Report of the Cannons and Muſkets, they ſaid to each other ſoftly, that their Deſtruction would be the infallible Conſequence, in caſe the Rajah's Troops ſhould loſe the Battle: That even at this Communication of Ideas there were none of their Guards nor any other Perſons preſent to hear them: That their Converſation on this Subject paſſed when the Noiſe of the Cannons and Muſkets was heard, when it was broad Daylight: That their Murderers did not arrive from Laitiffghur till about Eleven o'Clock: That Two Hours paſſed in making them take off their Cloaths, Hats, &c.: That they were led in their Shirts to the Place where the Murders were committed; and that it was about One o'Clock in the Afternoon when this Act of Barbarity took place.

(Signed) " Mordelait."

" Sworn before me,
this 5th Day of December 1781.
(Signed) " E. Impey."

Read, a further Extract from Page 226 of the printed Minutes.

" To the Honble. Warren Haſtings Eſquire, Governor General, &c.

" In the Jungles a little Diſtance from this, I have diſcovered a ſmall fortified Place, in which, it appears to me, the Europeans were put to Death: Some of their Hats, Shoe-bruſhes, and Pieces of their Coats, were found in it. I have not been able to diſcover any Remians of their Bodies.

(Signed at the End of the Letter)

" Thomas Blair."

" Lutteefpoor,
8th October 1781.

Read, from Book 518, already delivered in, the following Extract of a Conſultation of the 4th September 1781, beginning at Page 138, of the ſame Book.

" Fort William the 4th September 1781.

" At a Council; Preſent,
Edward Wheler Eſquire,
The Honourable the Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote, K. B. abſent on Service at Fort St. George.

Secret Dep. Tueſday.

" The Acts of Duplicity and Diſaffection recited in the Governor General's Letter addreſſed to Rajah Cheyt Sing, are of a moſt ſerious and alarming Nature, and aggravated by his Reply, which is couched in Terms of the higheſt Diſreſpect. It was therefore no longer ſafe to continue in his Perſon the full Exerciſe of thoſe Powers which the Rajah ſeemed to have both the Inclination and the Means of abuſing, but under theſe Circumſtances it became abſolutely neceſſary to take upon the Spot ſuch Meaſures as appeared moſt likely to bring him back to a Senſe of his Duty, and to ſupport the Authority veſted in this Government over the Zemindarry by the Treaty entered into by the preſent Vizier Aſoph ul Dowlah in the Year 1775.

Mr. Wheler.

" The Governor General judged it proper to order him into Arreſt; and the ſubſequent Treachery of his Conduct has too clearly evinced that a ſtricter Degree of Reſtraint would not only have been juſtifiable, but neceſſary; for whilſt the Rajah was profeſſing the deepeſt Contrition for his former Conduct, he appears to have been concerting a Plan to aſſert his Independency againſt that Government which raiſed him to his preſent Situation, and to which, as a Tributary, the Rajah owed Obedience.

" I join with the Governor General in moſt ſincerely lamenting the Fate which attended our Sepoys, and the Loſs of three brave Officers who fell in the Tumult.

" I approve the Choice made by the Governor General of Baboo Oſſan Sing to adminiſter the Revenues and Government of the Zemindary of Benares.

(Signed at the End of the Conſultation)

" Edward Wheler."

Read, the following Extract of a Conſultation, of the 8th October 1781, beginning at Page 450, of the ſame Book:

" Fort William, the 8th October 1781.

" At a Council; Preſent,
Edward Wheler, and John M'Pherſon, Eſquires.
The Honourable the Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote abſent on Service at Fort St. George.

" The Board taking into Conſideration the Circumſtances of the rebellious Conduct of Rajah Cheyt Sing, and being deſirous to prevent any ill Effects from his Endeavour to cauſe a Diſaffection in the other Zemindars of the Country, and at the ſame Time to manifeſt their Determination to ſupport the Authority of the Governor General, as well as to promote the Peace and Security of the Inhabitants of theſe Provinces,

" Reſolved, that the following Proclamation be publiſhed and circulated throughout the Provinces.

Proclamation relative to Rajah Chiet Sing.

" The daring and unexampled Treachery of Rajah Cheyt Sing to our Governor General at Benares on the 16th Auguſt laſt, and the outrageous Cruelty of the ſaid Rajah to thoſe Officers and Sepoys of the Company, over whom Chance gave him an Advantage, are too notorious to be particularly related in this Proclamation.

" But it is the Duty of this Government to declare to all thoſe who are dependant upon or connected with their Adminiſtration, that they are unanimouſly and moſt firmly reſolved to puniſh in the moſt exemplary Manner Acts of ſuch Rebellion towards the Company, and of ſuch Inſult to the Honour of the whole Engliſh Nation.

" From

" From the Time that the Engliſh were obliged to ſend Forces to this Country under Colonel Clive, to puniſh thoſe Nabobs who had unjuſtly attacked and murdered the peaceable Servants of the Company, or in other Words, from the Time the Engliſh took upon them, in their own Defence, the Adminiſtration of theſe Provinces, the Company and the whole Engliſh Nation had but one Wiſh, and their Orders to the Repreſentatives were continually, that they ſhould act with Juſtice to every Rank of People in this Country."

" It is well known how the Laws of England protect even the loweſt againſt thoſe who are higheſt in Power, and it is further well known, that the Company, and the Engliſh Parliament and King of England have endeavoured to beſtow, upon every Native of this Country under their Protection, the ſame Security that an Engliſhman poſſeſſes in England.

" It was in the true Spirit of theſe noble Intentions of the Company, and the whole Engliſh Nation, that the preſent Governor General was ſelected to be at the Head of their Affairs in theſe Provinces, for it was well known that he was beloved by the Natives, that he reſpected their Laws and their Cuſtoms, and ſpoke their Language, that he was an Enemy to all Oppreſſion.

" One ſtrong Proof of his poſſeſſing ſuch proper Diſpoſition was teſtified to the preſent Rajah Cheyt Sing, who derived his whole Power as Rajah, from the Generoſity and Interceſſion of the Governor General at Benares in 1773.

" In that Year it is well known, that when Mr. Haſtings ſettled the Treaty of Benares with the late Vizier, the Nabob Sujah ul Dowla, it was with the utmoſt Difficulty, and as a great Favour, that he obtained the ſaid Vizier Nabob the Sonud that conſtituted Cheit Sing Rajah of Benares; this Act of Goodneſs he did from his Reſpect for the Memory of the former Raja Bulwant Sing, and in Hopes that Cheit Sing would ever ſhew himſelf grateful to the Company.

" Upon the ſame Principles of Juſtice, when the late Vizier in 1776 ceded the Zemindary of Benares to the Company, the Rights held under the Nabob, his former Sovereign, by the Raja, were not only continued to him by the Governor General under the Government of the Company, but new Rights were confirmed upon him Rights which gave him extraordinary Power: These were the Poſſeſſion of the Fort of Tuan Pone, the Coinage of the Mint, and the Duties of the Cotwalli.

" The whole of theſe Grants were ſettled upon the Raja Cheit Sing, with every Teſtimony of the Confidence of this Government; but how deep has been his Ingratitude to his Benefactor! how unwarrantable his Rebellion againſt the Company!

" And what muſt be the Reſentment of the Company, and of the whole Engliſh Nation, when they hear that a Raja, ſo favoured by them, attempted the Life, and cut off the Followers of that very Governor General, who had been to him the Channel of their Favours, and who hearing of his fooliſh Attempts at Independance, had truſted himſelf with a ſlender Guard in Benares, hoping, by his perſonal Influence, to recal the Rajah to his Duty, and to get him to aſſiſt the Company in the preſent War—a War, very expenſive to the Company, but which, in its Operation, kept the Dominions of the Rajah in Peace and Proſperity; but when the Company and the Nation are given to underſtand further, that the ſaid Raja had attempted, by Preſents and Promiſes, to foment Diſtruſt and Diſaffection among other Zemindars dependant upon the Company, their wonted Mercy can have no Excuſe; their Orders muſt be ſtrong and unalterable to puniſh, in the ſevereſt Manner, ſuch Examples of Ingratitude and Diſaffection; and, at the ſame Time, to reward, with the fulleſt Favour, thoſe Zemindars, and others dependant upon our Government, who ſhew their Steadineſs and Attachment upon the preſent Occaſion. (*a*)

(Dated at the End of the Proclamation)
" Fort William, 3d October 1781.

(Signed at the End of the Conſultation)
" Edwd Wheler,
John Macpherſon."

Read, the following Extract of a Conſultation of the 29th October 1781, beginning at Page 511, of the ſame Book:

" Fort William, the 29th October 1781.

Secret Dept. Monday.

" At a Council; Preſent,
Edward Wheler, and John Macpherſon, } Eſquires.

The Honable. the Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote abſent on Service at Fort St. George.

" Read, another Letter and Encloſure (as follow) from the Governor General.

From Governor General.

" Gentlemen,

" I attribute it to official Omiſſion, that the Arrival of Mr. Macpherſon, and his taking his Seat at the Board, has not been publickly notified to me; and as I have received private Intor-

(*a*) Vide Appendix, N° CCLIII.

tion, which leaves no Doubt of this agreeable Event, I ſhall not wait until it may be announced to me in Form, but conſider Mr. Macpherſon as a Member of Adminiſtration, and addreſs the Board accordingly.

" I have the trueſt Satisfaction in congratulating Mr. Macpherſon on his Arrival, and the Board on the Acquiſition of a Member, of whom a long and intimate perſonal Acquaintance enables me to pronounce, that he is by Abilities, Integrity, and Diſpoſition, eminently qualified to aſſiſt and ſupport his Colleagues in the preſent arduous Conjuncture, and to cultivate and improve that Harmony in our Councils, ſo neceſſary to the Reputation and Succeſs of our Government.

" The Reſident here has communicated to me a Copy of a Proclamation ſent him from the Board, with their Orders to publiſh it.

" As the Proclamation is circular, and contains ſome Matters not applicable to the State of theſe Diſtricts, I apprehend that it has been tranſmitted to Mr. Markham by Miſtake.

" I obſerve, with great Pleaſure, that the general Tenor of the Board's Proclamation, coincides with that which I have iſſued; but as it was written before Information of the actual State of Affairs here could be conveyed to them, it contains ſome Declarations which might tend to weaken the Influence of the new Rajah, which I have taken great Pains to eſtabliſh, as the moſt certain Means of reſtoring and preſerving the Peace and Tranquillity of the Country. I have, therefore, deſired the Reſident to poſtpone the Publication of it, until he receives your further Orders, and, I hope, you will agree with me in revoking that which he has received for its Publication.

" You will eaſily believe, that nothing leſs than an Apprehenſion of public Inconveniencies could induce me to ſuppreſs a Proclamation ſo honourable to my Character, and ſo flattering to my Feelings; the liberal and generous Support which the Board have therein afforded me, and their ſtrong Teſtimony in Favour of my Conduct, inſpires me with the livelieſt Sentiments of Gratitude and Affection, is an ample Recompence for the painful Scenes which I have gone through, and the beſt Encouragement to my further Exertions for a happy Termination of the Troubles, which we have ſo unexpectedly experienced.

" It will appear to have been framed at a Time when my Communication with the Board was known to be obſtructed, and iſſued without my Participation. It will, therefore, have the happy Effect of proclaiming to the World, the Harmony of Sentiment and Deciſion which prevails in our Councils, and cannot fail to ſtrengthen the Influence and Credit of our Government, beyond any other Principle which could operate on the public Opinion.

" In my Letter of the 29th ult. I adviſed you, that Muhipnarain, the Grandſon of the late Raja Bulwunt Sing, was to be inveſted with the Rauge and Zemindary of Benares the next Day. This was accordingly performed, and the new Rajah proclaimed with great Form and Solemnity.

" As a great Number of Perſons were preſent at the Ceremony, and I knew that Reports were inviduouſly and induſtriouſly propagated, to induce a Belief of a Reconciliation with Cheyt Sing, I thought it abſolutely neceſſary, in order to obviate the Conſequences which would enſue from any Proſpect of an Accommodation, to declare publickly, that Cheyt Sing, and his Brother Sujan Sing, by their Treachery and Rebellion, had forfeited the Protection of our Government, and that I never would conſent to the Reſtoration or Readmiſſion, in any Form, of either of them, or any of their Deſcendants, either to the Rauge Zemindary, or any Kind of Authority, nor to any Conditions of Pardon, either for their Lives or Fortune.

" Previous to this Event, I had iſſued a Proclamation, of which I now encloſe you a Copy, and muſt requeſt your Indulgence for not having tranſmitted it ſooner, in which my Intention has been prevented by the Number of Objects which have required my immediate and perſonal Attention.

" I purpoſe to forward to the Board, with all poſſible Diſpatch, a ſuccinct Narrative of Tranſactions from my Arrival at Benares. This will alſo contain many other Matters which ought, in the regular Order of Buſineſs, to have been reported to the Board at the Time in which they paſſed, but for the above Circumſtances have been delayed.

" It is a very flattering Reflection to me, that my Sentiments and Proceedings have been exactly conformable to thoſe of the Board, in a Situation of great Difficulty and Delicacy, and at a Time when I could not obtain the Advantage of their Counſel, as it is a Circumſtance which will convey to the World the cleareſt Conviction of the Rectitude of my Intentions, and the Propriety of my Conduct.

" I have the Honour to be,
(Signed) " Warren Haſtings."

" Benares,
18th October 1781.

Incloſed in the Gov. General's Letter, 18th October.

" Be it known to the Zemindars, Aumils, Ryots, and all the Inhabitants of the Zemindary of Benares, &c. That, whereas Raja Cheite Sing by many Acts of Rebellion and Perfidy, and the Murder of a Number of Engliſh Officers, Sepoys, and other Dependants on the Government of the Company, who were unarmed, has totally forfeited his Right to the Zemindary of Benares, &c. and become amenable to the Juſtice of the Company; it is therefore made known and proclaimed, that Cheite Sing, and his Brother Sujan Sing, and their Deſcendants, have

have from this Period no further Right or Intereſt in the Zemindary of the ſaid Province; and all the Zemindars and Ryots are required to withhold their Obedience and Submiſſion from him; otherwiſe they will be puniſhed accordingly: And whereas, by the Sedition of Cheite Sing, this Country has fallen into Confuſion and Alarms, Aſſurances of Protection are hereby given to the Zemindars and other Inhabitants of this Country, and they are invited to repair to their former Places of Reſidence, and reſume their uſual Occupations in perfect Security: leſt any ſhould entertain Apprehenſions on Account of their Miſdemeanors, it is declared, That the paſt Offences of all the Inhabitants of this Country, who ſhall conform to this Order, are pardoned. Further, every Zemindar and Aumil who ſhall, within the Space of One Month, repair to the Preſence of the Governor General, or Major William Popham, Commander of the Forces in the Field, and make their Submiſſions, ſhall be pardoned; and ſuch as on Account of the Diſtance of the Road, or any other valid Reaſons, cannot attend in Perſon, muſt ſend the Vakeels for this Purpoſe with proper Credentials: But be it known, that the Perſons of Rajah Cheit Sing, and his Brother Sujan Sing are * exempted from this Pardon; and the Town of Gopygunge, of which the Inhabitants have been particularly active in this Rebellion, and have committed many Acts of Sedition, and even Bloodſhed on many of the Dependants of this Government, ſhall be deſtroyed, and the Inhabitants thereof puniſhed, on a due Enquiry into their Crimes; ſuch Perſons as, availing themſelves of theſe Troubles, ſhall have plundered and oppreſſed the Inhabitants of the City of Benares; and ſuch as ſhall have committed Murder on peaceable Paſſengers, ſhall be rendered accountable for the ſame in the due Courſe of Juſtice.

* Sic in Orig. (excepted)

" The above is a true Copy of the Proclamation, made public in the Perſian Language, at Benares, on the 29th September 1781. (*a*)

(Signed) " E. Hay, Sub^ry.

(Signed at the End of the Conſultation)

" Edwd Wheler,
John Macpherſon."

Read, the following Extract of a Conſultation of the 3d December 1781, beginning at Page 691, of the ſame Book.

" Fort William, 3d December 1781.

Secret Dep. Monday.

" At a Council; Preſent,

Edward Wheler, John Macpherſon, } Eſquires.

The Governor General abſent on a Viſit to the Northern Provinces.
Lieutenant General Sir Eyre Coote, K. B. abſent on Service at the Preſidency of Fort St. George.

" Reſolved that the following Reply be written to the Governor General.

" Honourable Sir,

" We have received your Letter of the 21ſt of November with the 13 different Encloſures and authenticated Vouchers, in which you have very fully explained in Detail your final Settlement of the Province and Revenues of Benares.

" We had the Honour of receiving ſome Time before, your Letter of the 1ſt November, in which you communicated for our Approbation your Eſtabliſhment of a Native Police, with the neceſſary Regulations for the Protection of the Civil and Religious Intereſts of the Inhabitants and Viſitors of the City of Benares.

" Though you have very properly confined the Communication of thoſe reſpective Arrangements to ſeparate Diſpatches, it is with the ſincereſt Pleaſure we find, upon the moſt attentive Peruſal of them, that we are juſtified in confirming your Arrangements under one united Head of Approbation.

" Diſtreſſed as we are in our Finances, it was neither for the Honour nor the Intereſt of the Company to raiſe the Jumna of that Zemindary beyond 40 Lacks, the Sum which you have ſtipulated. Having reſerved the Military Command of the Province, excluſively to the Company and their Troops, there can be no Danger of a ſecond Convulſion, and the Renterſhips and Jagheers which you have beſtowed upon thoſe Hindoos who proved their Attachment to us in the late Troubles, will ſerve to ſtrengthen our Syſtem by holding forth our Juſtice and Gratitude as a Government.

* Sic in Orig. At this Diſtance, and unacquainted as we are with the * Scene of your Revenue Eſtabliſhment, and the Characters and Diſpoſitions of the principal Inhabitants, we depend implicitly upon the Labour and Impartiality with which you have evidently inveſtigated and regulated this important Concern; had we been even upon the Spot we could have given you but little Aſſiſtance; the Difficulties in which you were ſo critically involved, during the Troubles of the Province, and your perſonal Influence and Aſſiduity, with your Knowledge of the Language, gave you the moſt decided Advantages to aſcertain the State of the Country, the Merits and Rights of its principal

(*a*) Vide Appendix, N° CCLIV.

Inhabitants,

Inhabitants, and finally to eſtabliſh the Adminiſtration beſt adopted to the Proſperity of the People, and the Stability of our Controul.

" If there are any Points of your Adjuſtments in the Revenue which we would wiſh to diſcuſs particularly, we ſhall leave them till your Return, when you can ſatisfy us in every Reſpect.

" Upon the Subject of your Eſtabliſhment of a Native Police in the City of Benares, with the very meritorious Protection you have ſecured to all Indians for the free Indulgence of their Religious Inſtitutions in that Capital ſacred to them in every Reſpect, we can ſpeak with decided Conviction. The Object reflects Honour upon your Country; the Execution upon yourſelf.

" We obſerve with extreme Satisfaction the infinite Pains you have taken upon this Subject, we cannot ſuggeſt a poſſible Improvement upon the Regulations of the Police; you ſeem to have been anxious to form it upon the Ground of an Independance of the Rajah, and even of the Influence of the Reſident. From this juſt Caution, the decided Power is lodged in the Chief Magiſtrate, and ultimately in a ſummary Degree. The univerſal good Character of Ally Ibrahim Cawn, whom you have placed at its Head, juſtifies every Confidence in him. But though the ſpeedy Execution of Juſtice at a Diſtance from the Seat of Government, is found in moſt Countries a neceſſary Check upon the Perverſion of Court Influence, we ſhould be apt to ſuſpect that the Powers of Ally Ibrahim Cawn may hereafter fall into Hands that may abuſe their temporary Independence, yet we confeſs ourſelves unable to draw the Line between the efficient Power neceſſary to command the Peace in this Country, even by its ſuppoſed Terrors, and the Power that is reſtricted from immediate Abuſe, and yet ſhould be effectual.

" We regret that the Incapacity of the more dignified Characters of the Gentoo Religion, to conduct the Management of ſuch a Truſt prevented you, and muſt ever do ſo, from promoting them to this high Office. If, at the ſame Time, it ſhould be underſtood and publiſhed, that a Complaint from the higher Inſtitutions of the Gentoo Religion, would always be conſidered by this Government as a ſufficient Warrant for the Removal and Trial of this Officer, the Difficulty might be accommodated, but we only venture to hazard this Idea.

" Your guarded Attention to the Security and Convenience of the Pilgrims, and your Abolition of thoſe Taxes and Embarraſſments which had grown againſt them, from the Rapacity of a corrupt Government, are peculiarly to your Credit. Indeed, when we reflect upon the Progreſs which our Arms have made in this diſtant Country, and when we think of that noble tolerating Principle of our Nation, which glories in indulging Religions with civil Liberty, we cannot but conſider the moſt humane and delicate Reſpect for the Religious Inſtitutions of the Nations we have ſubdued, as a Juſtice as a Juſtice * which we owe them, and in the Performance of which the Legiſlator muſt ever feel the moſt valuable Reward; even in a Political View, your Arrangements upon this Subject are intereſting, and may lead to the moſt important Conſequences. All Indoſtan, from the Source of the Ganges at Cape Comorin, is intereſted in the happy Regulation of the Police of Benares, and the unpolluted Tranquillity of its Colleges; the leading Marattas, with whom we are at War, are ſtrongly attached to this ſuppoſed Reſidence of the Purity of their Religion. From theſe Conſiderations, we beg Leave to ſuggeſt to you, whether it would not be proper to publiſh in the different Languages of India, the Regulations you have adopted? A very ſhort Time will ſpread them over all Indoſtan, which, with the Reports of the Pilgrims upon their Return, can not but impreſs the Natives with the mild Liberality and Attention of our Government.

* Sic in Orig.

" Even among the different Nations of Europe, whoſe learned Enquires have been of late particularly directed to the Religious Antiquities and early Knowledge of the Sciences in this Country, it will be Matter of Satisfaction and Admiration, and of conſequent Credit to our Government, that Benares, in which you were ſo critically expoſed, ſhould remain ſo deeply indebted to your careful Regulation and Protection. Upon our Parts, we ſhall only claim the Merit of not being indifferent to ſo great an Object in its liberal as well as political Light; and we ſhall heartily acceede to any Meaſure which you may think proper to adopt, to improve or ſtrengthen your Regulations. (*a*)

" We are, &c.
Edw. Wheler,
John Macpherſon."

" Fort William,
the 3d December 1781.

Read, the following Extract, from Page 234, of the printed Minutes:

" Tranſlation of the Depoſition of the Moonſhy Gore Perſhaud.—The Deponent ſworn before Chief Juſtice Sir Elijah Impey, December 2d 1781.

" Without the Means of Eſcape, I was obliged to put on the Habit of a Fakeer, and with my Brother, take ſhelter in the Hindoo Temple Arnepoorna, where I continued undiſcovered for Eight Days. At length a Fakeer, for the Sake of the Reward, went to Girdhauree Laul, the brother of Diaram, Aumeen of Banaris, and ſaid, that for a Recompence he would ſeize and deliver me up. The ſaid Girdhauree Laul gave Five Rupees to the Fakeer, and ſent Five-and-Twenty Peadahs along with him, who took me from the Temple, and confined me for Twenty-two Days in the Aumeen's Kutcherree. My Pen is unable to deſcribe the Ignominy, and the Severi-

(*a*) Vide Appendix, N° CCLV.

ties

ties which they inflicted upon me. After that, I was confined for Four Days at Ramnagur, and at length, on the 27th of Ramzan, in the Twenty-third Year of the Reign, I was tied Hand and Foot and thrown upon a Dooly, and ſent away from Ramnagur to Lutteefpoor. On the Road, near to the Houſe of the Chowdry Sewan, I ſaw a Number of Ladders made of Wood and Bamboos (about Forty or Fifty) lying on the Ground. I enquired of the Peadahs who guarded me what thoſe Ladders were intended for. They replied, that they had been intended for the Garden of Mehadew Doſs, but it was ordained that the Engliſh Gentlemen ſhould live: They made their Eſcape, otherwiſe Bauboo Soojaun Sing would not have left one of them alive. Having heard this Reply, I remained ſilent.

" Moonſhy Gore Perſhaud."

Read, a further Extract, from Page 236, of the printed Minutes.

" Tranſlation of the Depoſition of Biſhen Sing.—The Deponent ſworn before Chief Juſtice Sir Elijah Impey, December 2d 1781.

" I had Two Locks of Muſkets fixed on my Ears. Bauboo Soojaun Sing ſent for me by Ram Kiſhen Hircarrah to come into his Preſence.—He ſaid, 'Deliver up the Trunks of Gold Mohurs which the Governor delivered over to your Care when he went to Chunar.' I ſet forth, That I did not know any thing about ſuch Trunks. He then gave Orders to the Sepoys to preſs the Locks hard, (ſaying) that without Severity I would not be prevailed upon to give them up; and then the Blood ran from both my Ears.

" Written by Biſhen Sing,
" the 4th of the Month Ramzan, Year 23d."

The Counſel for the Defendant informed the Houſe, that they would next read, from the printed Minutes, ſuch Part of the Documents relating to the Bidgegur Prize Money, as had not been read by the Managers for the Commons.

Read, the following Extracts, from the printed Minutes, beginning at Page 281, of the ſame.

" Fort William, 23d May 1782.

Pub. Dept. Thurſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Eſquire, Governor General, Preſident;
Edward Wheler, and John Macpherſon, } Eſquires.
Lieutenant General Sir Eyre Coote, K. B. abſent on Duty at Fort St. George.

" The Governor General delivers in the following Minute, and begs Leave to record his Correſpondence with Major Popham on the Subject.

" 23d May 1782.

The Governor General's Minute and Correſpondence with Major Popham.

" Governor General.—I am much affected by the Letter which has been addreſſed by the Officers of Major Popham's late Detachment, in reply to the Demand made on them by the Board in their General Orders of the 23d of February. They declare, that, upon a Reference to my Letters, dated the 22d of October and 3d of November 1781, they cannot but be of Opinion, that they (i. e. thoſe Letters) clearly and inconteſtibly inveſted Major Popham with full Power to order a Diſtribution of the Effects and Treaſure found in the Fort of Bidjey Ghur. They remind me of the Conduct of the Troops, of which I myſelf have been an Eye Witneſs, and to whom every Degree of Merit has been repeatedly allowed; adding, " how ſenſibly muſt the Honourable Governor General himſelf be affected, were he to ſee the Reward which he held out to thoſe Troops taken from them by that very Power to whom they have looked up for Encouragement!" And they expreſs their Hope, that " the Board will be induced to permit them peaceably to enjoy what it is apparent from the whole Tenor of my Conduct I wiſhed them to poſſeſs."

" I yet acknowledge, with a Conviction of the Obligation unchanged by the Reproach of it, the ſpirited and effectual Services which were performed by the Officer's of Major Popham's late Detachment, and the Zeal which excited them. I receive and confirm their Atteſtation of the Wiſhes which were uniformly manifeſted by me, to beſtow on them a Reward adequate to their Merits; and even that, though with ſome Difference in the Mode, which they aſſumed for themſelves. But I deny that I ever " inveſted Major Popham with a full Power," or with any Power to order a Diſtribution of the Effects and Treaſure found in the Fort, or that I had any ſuch Intention, or that the Words which have been quoted from my Letters to prove it, are or can be taken in that Senſe by any Conſtruction, however forced.

" When I left Benares, I had Hopes given me of a very different Termination of this Affair; I therefore ſuppreſſed the Letters which had paſſed between me and Major Popham reſpecting it. Theſe are now become neceſſary for my Juſtification, and for that Purpoſe I do, not without much Reluctance, lay them in their connected Order before the Board, requeſting that Copies of the other Papers which have been recorded on this Subject may be added to them by the

Secretary,

ecretary, and that the Whole may be tranſmitted by the next Diſpatches to the Court of Di-ors.

Notwithſtanding the Want of Reſpect which has been ſhewn to me by the Officers of Major ham's Detachment, I yet feel ſo warm a Remembrance of their Services, that I am un-ng to truſt to the Equality of my own Judgment, in propoſing the Step which may be er to be taken for aſſerting the Rights of the Company, the Authority of Government, or relative Claims of the Officers to a Participation of the Treaſure and other Plunder ac-ired by the Surrender of Bidjey Ghur.

" I will confeſs, that I am not ſolicitous to compel the Officers to refund all the Money which they have aſſumed; it would perhaps, with all the Aid of the Law, be impoſſible; nor am I now very anxious for the Uſe of it on Loan. We have it, though not immediately under its proper Term, nor tendered, as it ought to have been, by the Officers themſelves.

" The Points which I am moſt anxious to obtain are, the Eſtabliſhment of the Right in what-ever Manner, and a fair Diſtribution. I can ſcarce ſuppreſs a Degree of Reſentment, even at this Diſtance of Time, when I reflect that many Officers to whom the Service was moſt indebted for the Reduction of the Province of Benares, and even this Government perhaps to its Exiſtence, have been ſhared out by others who had no Part in any of the eſſential Actions of the Campaign, but came in juſt at the Cloſe of it, to make their Fortunes by Treaſures, in the Seizure of which the ſucceſsful Exertions of others had enabled them to participate.

" I muſt particularly refer to the Caſe of Major Crabb, whoſe Excluſion diſhonours the Deciſion which paſſed it; I will not enumerate others.

" I entreat the Board, for the Reaſons which I have already alleged, to ſpare me the painful Office of propoſing what may be neceſſary for their Conduct in this Buſineſs, preſuming that they are now in Poſſeſſion of all the Materials required for proceeding upon it."

" To Major Popham, commanding before Bidjegur.

" Benares, the 22d October 1781, 10 o'Clock P. M.

☞ [" I am this Inſtant favoured with your's of Yeſterday. Mine to to you of the ſame Date has before this Time acquainted you with my Reſolutions and Sentiments reſpecting the Rannee. I think every Demand ſhe has made to you, except that of Safety and Reſpect for her Perſon, is unreaſonable. If the Reports brought me are true, your rejecting her Offers, or any Negociation with her, would ſoon obtain you Poſſeſſion of the Fort upon your own Terms. I apprehend that ſhe will contrive to defraud the Captors of a conſiderable Part of the Booty, by being ſuffered to retire without Examination; but this is your Conſideration, and not mine: I ſhould be ſorry that your Officers and Soldiers loſt any Part of the Reward to which they are ſo well entitled, but I cannot make any Objection; as you muſt be the beſt Judge of the Expediency of the promiſed Indulgence to the Rannee. What you have engaged for, I will certainly ratify; but as to permitting the Rannee to hold the Pergunnah of Kurteek, or any other in the Zemindary, without being ſubject to the Authority of the Zemindar, or any Lands whatever, or indeed making any Conditions with her for a Proviſion, I will never conſent to it.

" I am, &c.

(Signed) " Warren Haſtings."

" N. B. The initial and concluding Addreſſes of this Letter are omitted in the only Copy of it preſerved by the Governor, but he knows that the Letter was familiar and not official."

" Dear Major, " Benares, the 3d November 1781.

" My Duan, Contoo Bouboo has ſhewn me a Letter addreſſed to him from Panna, the Mother of Cheit Sing, intreating his Interceſſion that ſhe may be relieved from the Hardſhips and Dangers of her preſent Situation, and offering to ſurrender the Fort of Bidjygur, and the Treaſure and valuable Effects contained in it, provided ſhe can be aſſured of Safety and Protection to her Perſon and Honour, and to that of her Family and Attendants; and that Contoo himſelf will undertake to conduct her out of the Fort to ſuch Place of Security as ſhe ſhall chooſe. As this Offer affords a Proſpect of your obtaining Poſſeſſion of the Fort, and the Wealth which it contains, without further Loſs or Delay, I have judged it proper to accept it, and directed Contoo to repair to your Camp immediately with as many Doolies and Cauhrs as can be collected for the Conveyance of Panna, her Family, and ſuch Neceſſaries as are indiſpenſible to Women of their Condition.

" You will be pleaſed, when Contoo arrives with you, to ſend a Meſſenger of your own, accompanied with one from him, to acquaint Panna that I have ſent, him conformably to her Requeſt, to receive and conduct her with Safety and Honour to whatever Place ſhe may chooſe as her Reſidence, and that I am willing to grant her now the ſame Conditions to which I at firſt conſented, provided that ſhe delivers into your Poſſeſſion, within Twenty-four Hours from the Time of receiving your Meſſage, the Fort of Bidjigur, with the Treaſure and Effects lodged therein by Cheyt Sing, or any of his Adherents, with the Reſerve only as abovementioned of ſuch Articles as you ſhall think neceſſary to her Sex and Condition, or as you ſhall be diſpoſed of yourſelf to indulge her with. If ſhe complies, as I expect ſhe will, it will be your Part to ſecure the Fort and the Property it contains,

for the Benefit of yourſelf and Detachment. I have only further to requeſt, that you'll grant a Eſcort, if Panna ſhould require it, to conduct her here, or wherever ſhe may chooſe to retire. But ſhould ſhe refuſe to execute the Promiſe ſhe has made, or delay it beyond the Term of Two four Hours, it is my poſitive Injunction, that you immediately put a Stop to any further Interco or Negociation with her, and on no Pretext to renew it. If ſhe diſappoints or trifles with me, I have ſubjected my Duan to the Diſgrace of returning ineffectually, and of courſe myſelf to credit, I ſhall conſider it as a wanton Affront and Indignity which I can never forgive, nor w grant her any Conditions whatever, but leave her expoſed to thoſe Dangers which ſhe has choſen riſque, rather than truſt to the Clemency and Generoſity of our Government. I think ſhe cannot ignorant of theſe Conſequences, and will not venture to incur them; and it is for this Reaſon I place a Dependance on her Offers, and have conſented to ſend my Duan to her.

" Yours, &c.

(Signed) " Warren Haſtings."

" Dear Sir, " Camp, Bijee Ghur, 10th November 1781.

" I have the Honour to inform you, that laſt Night about Twelve o'Clock, the Grenadiers took Poſſeſſion of the Weſtern Gate of Bijee Ghur, after the Rannee had played with and deceived us from Ten o'Clock in the Morning, when ſhe had agreed that it ſhould have been given up to us.

" Permit me to requeſt your Orders, Sir, with reſpect to the future Diſpoſition of the Troops; and at the ſame Time, to beg Major Gardiner may have the carrying on what Works ſhall be judged neceſſary for the Repairs of the Fort of Bigee Ghur, as it is with the greateſt Truth I aſſure you we are much indebted to his Labours and Services for the Fall of the Place.

" I have the Honour to be,

The Honourable with the greateſt Reſpect, &c.

Warren Haſtings Eſq. (Signed) " Wm Popham."

" Dear Sir, " Camp Bijee Ghur, 12th November 1781.

" I did myſelf the Honour, the Day before Yeſterday, to inform you of the Surrender of this Place, and the Situation of Affairs at that Time.

" The Rhannee came out of the Fort with her Family and Dependants the 10th at Night, owing to which ſuch Attention was not paid to her as I wiſhed; and I am exceedingly ſorry to inform you that the Licentiouſneſs of our Followers was beyond the Bounds of Controul; for, notwithſtanding all I could do, her People were plundered on the Road of moſt of the Things which they brought out of the Fort, by which Means one of the Articles of Surrender has been much infringed. The Diſtreſs I have felt upon this Occaſion cannot be expreſſed, and can only be allayed by a firm Performance of the other Articles of the Treaty, which I ſhall make it my Buſineſs to enforce.

" The Suſpicions which the Officers had of Treachery, and the Delay made to our getting Poſſeſſion, had enraged them as well as the Troops ſo much, that the Treaty was at firſt regarded as void; but this Determination was ſoon ſucceeded by Pity and Compaſſion for the unfortunate beſieged.

" The Women are now in Tents at a little Diſtance from the Camp, with a proper Safeguard; and I have ſent into the Fort for thoſe Conveniencies which are neceſſary to their Situation; and the Rhannee will have her Share of Fifteen per Cent. exactly paid her. She will remain here until ſuch Time as Bearers and Carriages can be procured to convey her to Benares, where ſhe wiſhes to reſide, but ſhe earneſtly begs that ſhe may not be dependant upon the old Rhannee, the new Rajah, or Ouſſan Sing.]—She tells me that ſhe has a Houſe at Benares (that I believe in which the Nabob Saadut Ally now lives), alſo another at Gungapore about Four Coſe from the City. Both theſe ſhe hopes for from your Indulgence, and, for future Support, ſhe moſt humbly ſubmits to your Generoſity. Cantoo Baboo is with the Rhannee; and as ſhe has particularly requeſted that Captain Scott may pitch his Tent near hers, and accompany her on her Way to Benares, I have conſented, and he will move accordingly.

" I have to requeſt that you will give Orders for ſuch a Number of Bearers and Coolies as can be collected, to be ſent here immediately to conduct the Rhannee and her Family, &c. who are in all about Three hundred Women, beſides Children. Thirty or Forty Coupalas will alſo be neceſſary; and if ſome Bazaar is likewiſe ſent, it will make the Journey perfectly convenient. I ſhall furniſh a ſufficient Eſcort. Every Means is taking to procure Bearers here, but I fear this Country will afford but very few, on which Account I hope many will come from Benares.

" Dhouda Buggut may juſtly be ſaid to have occaſioned the Rhannee's Sufferings, as he cauſed the Delay in the Surrender of the Fort. Bogwiſdial the Buxey, on the contrary, acted with the greateſt Honour; and ſhould he ſurvive the Fever he is now ill of, I think he will merit the Attention of Government. Chumput Roy alſo demands Praiſe for the Sufferings which his Attachment to our Government has drawn on him. He is likewiſe with the Rhannee.

" I have the Honour to be, with high Reſpect, &c.

(Signed) " Wm Popham."

" The Honourable Warren Haſtings Eſq.

" To

" To Major Popham.

" Sir, " Chunar, 14th November 1781.

I have received your Letter of the 12th, and ſincerely congratulate you on the eaſy Conqueſt you have made of Bidjy Gur.

It gives me great Concern that the Licentiouſneſs of any Perſons under your Command ſhould have given Cauſe to complain of the Infringement of the ſmalleſt Article of the Capitulation in favour of the Mother of Cheyt Sing and her Dependants. I hope you will diſcover the Offenders, and oblige them to make Reſtitution, and alſo puniſh them in the moſt exemplary Manner. I rely on your Humanity and Juſtice to make her all the Recompence in your Power, by a ſcrupulous Attention to enforce the Performance of the remaining Stipulations in her Favour.

" Bearers, Coolies, and other Conveyances have been ordered for the Women and their Effects. The Mother of Cheit Sing, her Family and Attendants, may reſide wherever ſhe pleaſes; and ſhe ſhall be put in Poſſeſſion of ſuch Houſes as are her own immediate Property.

" The Subject on which I am now to write is a very diſagreeable and painful one to me, but indiſpenſable. I have received Information which, though private, is certainly authentic, that you have already diſtributed One Dividend of the Treaſure found in Bidjy Gur amongſt the Officers and Troops on the Spot. If this be true, I am very ſorry for it, as, on many Conſiderations, it appears to me that ſuch Diſtribution is premature. I apprehend that it is a Propoſition not to be diſputed, that every Thing acquired by the Arms of a State belongs to the State which employed thoſe Arms. By Charters and Acts of Parliament, the ſole Right to all Conqueſts or Captures made by the Company's Arms were veſted in the Company. It was however my Intention to have uſed my utmoſt Authority and Influence to have obtained for the Troops engaged in the Service againſt Cheyt Sing the whole Booty which might be found in Bidjygur or other Places. I regarded it as the due Reward of their Services, and Recompence of their Sufferings, but I never meant that they ſhould ſeize it and ſcramble for it. Beſides, if the actual Right was in the Army, at a Time like this, when the Exigencies of the Company are ſo great, ſurely they might have expected to have benefited by the immediate Uſe of it as a Loan. I had, I muſt own, ſuch Confidence in your Diſcretion, that I did expect, if the Treaſure found in the Fort ſhould prove very conſiderable, you would not have proceeded to any Diſtribution of it until you had reported the Amount to the Board, and obtained their Sanction for appropriating it to the Troops, or at leaſt that you would have repreſented it to me, as I am ſo near you.

" It gives me ſtill greater Concern to learn that you have excluded from any Benefit in this valuable Capture all the Troops not immediately acting in the Siege of Bidjygur. I have received a ſtrong Repreſentation from the Officers of Major White's Regiment of their Claim to an equal Share with the Troops compoſing your Detachment; and when I conſider the Services and Sufferings of that Regiment, I cannot help being of Opinion that their Title is good. You will recollect that it was the firſt employed, and was expoſed in Two Actions, where only Danger and Honour were to be expected; that it marched to our Relief at Benares, and has ever ſince been furniſhing Detachments and Eſcorts to facilitate the Succeſs of your Operations. Surely neither Juſtice nor Generoſity will admit that a partial Diſtribution of Benefits ſhould take place amongſt Corps engaged in the ſame Service, and co-operating to the ſame Effect, becauſe a Part of them happen to be employed at a Diſtance from the Place where ſuch Benefits are immediately obtained. It will hardly be ſuppoſed by thoſe Claimants that you could have overlooked their Pretenſions, or not have expected that they would have urged them; and they will interpret ſo precipitate a Diviſion of the Booty into a Deſign of precluding them from any Share in it. Whatever may be the Deciſion of the Board reſpecting the Treaſure in Queſtion, the Claim of the 6th Regiment is unqueſtionably as juſt as that of the actual Captors. I muſt therefore require of you to ſuſpend any further Dividend or Diſtribution until the Orders of the Board reſpecting it are received, and I deſire you will order and require the Officers, who have already ſhared, to refund the Sums which they have reſpectively received, and acquaint them if they do not they will be reſponſible to Government, and that ſuch Sums, as well as what ſhall remain, are and muſt be ſubject to the final Deciſion of the Board.

" Let me add, as a Suggeſtion worth your Attention, that if you do perſiſt to decide by your own Authority on the Claims of the Captors, you may, and I foretell that this will aſſuredly prove ſo, withdraw the Queſtion from our immediate Government to make it a National Concern. You might have expected every partial Regard from the Board, from myſelf eſpecially, who have been a perſonal Object of your Operations, which we could legally beſtow; and whatever we had decreed on ſo meritorious an Occaſion would have received the undoubted Approval of the Company, with whom it would have finally reſted; or have fallen, with their Diſpleaſure, if they had not approved it, on us alone.

" I am, &c.

(Signed) " Warren Haſtings."

" To

" To the Honourable Warren Haſtings Eſquire, Governor General, &c.

" Sir,

" Yeſterday Evening I was honoured by your Letter, without Date, too late to reply to the Return of the Dawk.

" My moſt earneſt Endeavours have been uſed in performing every Article of the Treaty Capitulation in Favour of the Mother of Cheit Sing; and ſhe will have the Whole of, if not more than, thoſe Effects, &c. which were agreed to be given up. I have provided as many Bearers, Doolies, and other Conveyance, as will ſuffice for her Journey to Benares, which ſhe began this Day, accompanied, at her own particular Requeſt, by Captain Scott and Cantoo Baboo. I could have wiſhed her to remain a Day or two longer, till more Conveniencies could have been provided; but as ſhe was exceedingly anxious to move, I did not think it adviſable to prevent her.

" It gives me the moſt ſincere Concern to find, that a Conduct, which I flattered myſelf would have met with your Approbation, has unfortunately incurred your Diſpleaſure; but I am the more ſenſibly hurt, as the Letters I had the Honour to receive from you, before this, gave me every Reaſon to ſuppoſe that you were of Opinion the Effects and Money in Bijee Ghur ſhould immediately become the Property of the Captors, which Idea, ſo correſpondent to my own and all the Officers Wiſhes, occaſioned the Conduct I purſued.

" Alluding to the then propoſed Capitulation, in your Letter of the 22d October, you are pleaſed to ſay, " I apprehend, that ſhe will contrive to defraud the Captors of a conſiderable Part of the Booty, by being ſuffered to retire without Examination; but this is your Conſideration, and not mine. I ſhould be ſorry that your Officers and Soldiers loſt any Part of the Reward to which they are ſo well entitled.

" In the Letter which I was honoured with on the 3d Inſtant, you are pleaſed to give me the following Order, on the Suppoſition that the Rhannee would ſurrender the Fort:—" It will be your Part to ſecure the Fort, and the Property it contains, for the Benefit of yourſelf and Detachment; and I have only further to requeſt, that you will grant an Eſcort to Panna, ſhould ſhe require it, to conduct her here, or wherever ſhe may chuſe to retire to."

" Convinced before of the Juſtneſs of the Detachment's Claims to the Property in the Fort, your ſo chearful and poſitive Acquieſcence in the Opinion made me doubly happy to ſhare amongſt the Officers and Troops the Reward of their Services; and the Order conveyed to me in the laſt Extract from your Letter made me do it immediately, before a Separation of the Troops ſhould take Place, which I regarded as the beſt Security againſt Jealouſies and Suſpicions that might naturally ariſe, in caſe of Delay.

" Before the Fall of the Fort it was determined, agreeable to the general Senſe of the Officers, that the Seniors ſhould form a Committee for the Diſtribution of the Shares. Major Moſes Crawfurd, the Firſt of the Number, accordingly was appointed to command the Party to take Poſſeſſion of the Fort. The other Members of the Committee went in with him, and have held the whole Power in their Hands ever ſince, without my having the ſmalleſt Interference, except to demand the ſtipulated Effects and Share of every Thing for the Rhannee.

" It would be diſreſpectful, as well as unneceſſary, for me to enter into Arguments with you, Sir, concerning the Rights of the Company, from Charters and Acts of Parliament in their Favour; but even allowing, for the preſent, that the Right of Plunder was veſted in the Company, I apprehend that your Order to ſecure the Fort, and the Property in it, for the Uſe of myſelf and Detachment, was a ſufficient Authority for my ſharing the Capture among the Officers and Troops under my Command; but more eſpecially as the Minutes of Council, iſſued in General Orders, veſted you with the full Powers of the Board; and, of courſe, any Deciſion you made was regarded as a final one of the Supreme Council.

" The Officers of the Detachment regarded alſo your generous and impartial Determination in their Favour with Veneration and Gratitude, as it ſaved them the Anxiety of Suſpence, and was a Mark of your Approbation of their Services; yet, at the ſame Time, they did not admit a Doubt of the Contents of the Fort of Bidjie Ghur being their Prize.

" With reſpect to the Exigencies of the Company, every Officer of the Detachment would, I dare ſay, be ready to adminiſter ſingly to their Convenience, as their Circumſtances would allow; but to give in One Sum the Whole of their Property, without its being properly divided, they did not think would be expected, as a general Bond ſurely cannot be eſteemed ſufficient Security for every Individual.

" Regarding the Excluſion of Major White's Regiment, the Committee of Diſtribution will undoubtedly give Reaſons for their Conduct, and the Officers of that Regiment will then be able to judge how far the Excluſion has been juſt, which, I believe, has been regulated by Cuſtom.

" The Plunder being ſhared, and become the preſent Property of the different Sharers, I do not think myſelf competent to give an Order for a Refund. The Officers and Troops will judge how far they are liable to anſwer to Government for having received it. The Deciſion of the Board will, I am certain, be received with that reſpectful Attention it is their Duty to pay; and I beg Leave, Sir, to offer you my ſincere Thanks for your promiſed Influence to make it favourable.

" From the Uſages of all Services I have ever heard of, and had the Honour of being employed in, I was firmly of Opinion that the Right of Plunder was veſted in the Captors. The In-

ſtances

ances of Plunder being ſhared in this and other Countries, without any prior Application to the Members of Government, have been many; and it would be only, Sir, intruding on your Patience to enumerate them. I will therefore only add, ever happy in the Aſſurance of your Eſteem and Friendſhip, that I hope, from your Indulgence, the Claims on the Part of the Company to be withdrawn; and that from your Acquieſcence and Favour we may obtain the quiet Enjoyment of what, I have every Reaſon to believe, you will not think unworthy the Services of myſelf and the Troops under my Command.

" I have the Honour to be, with every Senſe of Reſpect,

" Camp near Bijee Ghur, 16th Nov. 1781. " Sir, &c.

(Signed) " William Popham."

" To Major Popham.

" Sir, " Chunargur, Nov. 18, 1781.

" I have this Day received your Letter of the 16th Inſtant. Since my private Letters have been received and quoted as Authority, I regret that they were not more guardedly written, and yet more that they were written at all. Their obvious Conſtruction is, that I myſelf conſidered the Plunder of Bidjygur as ſo much the due Reward of the Officers and Soldiers whoſe Services had earned it, that I expreſſed it as decidedly theirs. Had my Letters been official, or intended for the ſtrict Interpretation which you have given to them, I ſhould have declared the ſame Sentiments in Subſtance, but in more warrantable Language. It is moſt probable that I ſhould have ſignified my Opinion that the Officers and Soldiers were entitled to ſhare between them the Whole of the Treaſure and valuable Effects taken in Bidjygur; not as theirs by any poſitive or declared Law, or by the Right of Cuſtom, but as the Effect of that Claim which Merit has to optional Bounty; that if the Amount had been even conſiderable, but not enormouſly great, I might have exerciſed the Authority with which I have been inveſted, to allow the immediate Diſtribution of it, that no Part of its Effect might be loſt by Delay; but that if the Sum was ſo great as to become a public Object, I ſhould certainly have hoped, that to remove the popular Envy which might attend its Appropriation to the Benefit of Individuals, it might have been tendered by the Officers themſelves for the immediate Relief of the Company in the preſent Diſtreſſes, on Loan, for Bonds ſeverally granted to each Sharer, not, as you ſuppoſed would be neceſſary, to the Whole collectively; which, as the Company's Bonds are negociable, would as effectually have ſecured their Property in them, as if the Sums charged to each Bond had been actually lent in the common Mode; but, at all Events, if I had thought it proper to refer the final Deciſion to the Board, I ſhould have taken upon myſelf the firſt Reſponſibility of the Gift, by adviſing it, and becoming the Advocate of the Army for obtaining an Act of the Board for that Purpoſe. I am myſelf, knowing the Characters of the Gentlemen actually compoſing that Body, perfectly aſſured that they would have as heartily joined with me in ſuch a Reſolution, as I was diſpoſed to propoſe it.

" If you thought my Letters conveyed the Sanction which you ſeem to attribute to them, I am ſorry that you did not avail yourſelf of your intire Knowledge of my private Sentiments, however conveyed to you upon the ſame Subject; and I muſt now requeſt that you will enable me to make them known to thoſe, who, from this partial Selection of them, may have acquired a Right to be poſſeſſed of the Whole, by furniſhing me with Copies of the Letters which have been written by my Secretary Major Palmer, as declaratory of them; particularly One dated the 10th November, which, I believe, compriſes my Opinion and Wiſhes in the fulleſt and moſt poſitive Terms.

" It has been intimated to me, That a Suſpicion, that the Treaſure found in Bidjygur might, if reported before its Diſtribution, have been wholly taken by Government for the Benefit of the Company, was the Cauſe and Motive for the precipitate Diviſion of it. I own it has that Appearance; and I am ſufficiently mortified by the Idea which this Conſtruction ſuggeſts of the Opinion which you muſt have entertained of my Sincerity, if you countenanced ſuch a Precaution, ſince the Paſſages in my Letters, which you have quoted as aſcertaining the Right of the Army, were, under a more favourable Suppoſition, more likely to have operated as Encouragements to apply for a Sanction to receive it with the Aſſurance of Succeſs, than to ſeize it before it could be diſputed.

" I am ſorry that I am conſtrained to appear in a Character ſo different from that in which I hoped to have ſhewn myſelf, in Oppoſition to an Act done for the Benefit of the Army, inſtead of being the Inſtrument of promoting their Intereſt; I muſt bear, as I can, the Mortification of my preſent Diſappointment, and ſatisfy myſelf with the Conſciouſneſs that I have been, and the Aſſurance that they will find it, by the Event, their beſt Friend and Adviſer.

" In the mean Time you have declared, that the " Plunder being ſhared, and become the preſent Property of the different Sharers, you do not think yourſelf competent to give an Order for " A Refund." I am compelled by the Senſe of my public Duty to proteſt, and I hereby proteſt againſt the Diſtribution, not as the Act of the Officers whom you have conſtituted a Committee for that Purpoſe, but as yours, the ſole and whole Authority being yours, and Reſponſibility unalienably veſted in you. I proteſt againſt the Excluſion of the others in Benefit of their own Pretenſions, and againſt the Power granted them for that Purpoſe, as repugnant to the Principles of natural Juſtice, which forbid that Men ſhall be Judges in their own Cauſes, when a ſuperior Judgment can be obtained.

" I ſhall prepare the Materials of this Tranſaction for the Information of the Board, but ſhall wait for your Anſwer, before I finally diſpatch them.

" Sir,

" With the greateſt Reſpect, &c.

(Signed) " Warren Haſtings.

" N. B. To this Letter I never received any Anſwer."

" To the Honourable Warren Haſtings, Eſquire, Governor General

" Honourable Sir,

" It is with the ſincereſt Regret we are informed by Major Popham, that the Diſtribution of the Prize Money taken at Bidjee Ghur is repugnant to your Ideas of Propriety and Juſtice.

" We did conceive that any Money and Effects (Warlike Stores excepted) taken conſequent to a Capitulation, was the undoubted Property of thoſe whoſe Lives were riſqued in the Acquiſition.

" Conſequent to your Order, any farther Participation is ſuſpended, but we truſt, from your Candour and Generoſity, you will permit us to retain the Reſidue of what we had always underſtood you had regarded as our Property, and which now would have been untouched, had not your (ſuppoſed) Approval ſeemingly eſtabliſhed the Rectitude of our Claim as inconteſtible. But, abſtracted from this imaginary Admiſſion of our Right, we were influenced to believe that no Doubt exiſted as to the Validity of our Pretenſions, from many reiterated Precedents in Point occurring to our Reflection to confirm them.

" It is not to be imagined that Military Men are acquainted with the Niceties of Legal Diſtinction; the Uſage of the Service can be their only Guide; and if they adhere ſtrictly to that, and yet err, we do not apprehend that any juſt Imputation of Guilt can reſult from their Ignorance.

" Reſpecting a Reſumption of the Sum already received, we fear it is impoſſible, the greateſt Portion being already alienated; but we are very ready to ſubmit what remains to your entire Diſpoſal.

" As to the Claim of the Firſt Battalion of Major White's Regiment (Captain Blair's) it was admitted the Moment the Caſe was clearly underſtood; but in reſpect to the other Battalion of that Regiment, we beg Leave to ſuggeſt the following Reaſons for its Excluſion.

" In the Firſt Place, a Return of that Corps, ſince the Commencement of the preſent Service, has never been tranſmitted to Major Popham; neither has Captain M'Dougall ever received any official Inſtructions from him whatever: Secondly, a Return of that Battalion has never been included in the General Returns tranſmitted to you, the Commander in Chief, or Mililitary Secretary, as any Part compoſing this Detachment: And, thirdly, we believe it to be ſtrictly conſonant to Military Regulations, that Officers commanding Corps do return monthly to their immediate Commanding Officers, as well as to the Commandant of the Regiment or Brigade to which ſuch Corps are attached.

" That Captain M' Dougal has made a Return to Major White (as is cuſtomary) we do not pretend to diſpute; and does it not then inevitably follow that the ſame Rule ſhould have been obſerved in reſpect to Major Popham, had Captain M'Dougal ever entertained an Idea of acting under his Command?

" We write this, Sir, under the cleareſt Conviction of your Regard, Candour, and Impartiality, and beg you will do us the Juſtice to believe that

" We are, with the greateſt Eſteem and Reſpect, &c.

" C. Crawford, Lieutenant,
R. Maxwell, Captain,
Ed. Humphries, Major,
Thos Townſhend, Lieutenant,
J. Campbell, Lieutenant,
C. Vernon, Lieutenant,
Rt. Sands, Lieutenant, Fireworker,
Rt. Morris, Lieutenant,
J. Noke, Captain,
Olivr Cacy, Lieutenant,
Ludovick Grant, Captain,
James Harwood, Lieutenant,
Alexr. Macleod, Lieutenant,
J. H. Hutchinſon, Lieutenant,
John Garſtin,
E. O. Donnell, Lieutenant,
R. S. Perreau,
J. Fox Calcraft, Lieutenant,
J. P. Pigott,
G. Ball, Lieutenant,
P. Fallon,
John Gordon, Lieutenant,
B. Noſs, Lieutenant,
D. Reed, Lieutenant.

Wm Popham, Major,
Juſtly Hill, Captain, Artillery,
M. Crawford, Major,
A. Balfour,
James Denty, Captain,
Geo. Birrell, Lieutenant,
Alexr Knox, Lieutenant,
R. Dumes, Captain,
J. J. Windwood, Lieutenant,
Thomas Brown, Lieutenant,
W. Lane, Major,
J. Hamilton, Lieutenant,
Jas Gelleſpie, Lieutenant, Artillery,
J. Underwood, Lieutenant,
Wm Crawford, Lieutenant,
P. Stewart,
Wm Pickett, Lieutenant,
John Morriſon, Lieutenant,
Robert Bell, Lieutenant,
Wm Shipton, Lieutenant, Fireworke
J. Belaſſis, Lieutenant,
B. Bruce,
David Birrell,
James Lewis Lucadon,
Wm Comyn, Lieutenant."

" Chunargur, November 30, 1781.

" To Major Popham.

" Sir,

Acting your Arrival at this Place ſome Days earlier than it happened, I have delayed my Reply to the Letter which you, and the Officers of your Detachment, did me the Honour to address to me on the 19th Inſtant, on the Subject of the Claims preferred to me for a Participation in the Plunder of Bidjygur, by the Officers and Troops engaged in the Service againſt Rajah Cheyt Sing, but not preſent at the Siege of that Fortreſs.

In the preſent State of the Queſtion, I do not think my ſole Authority competent to the Acceptance of the Propoſition made in the Letter. My Diſpoſition is ſtill more averſe than my Authority is ineffectual to appear in the Character of an Arbiter, and eventually ſubject to that of an Oppoſer of the Intereſt of Gentlemen, whoſe public Services, and perſonal Attachment, have given them the ſtrongeſt Claims to my Eſteem and Support.

" It is my ardent Wiſh that no Altercation, or Diſagreement, may ever ſubſiſt between us, and that our only Intercourſe may be Juſtice in public, and Kindneſs and Cordiality in our private Relations. For theſe Reaſons, I muſt decline anſwering the Arguments upon which the Officers have ſupported the Juſtice and Propriety of the Diſpoſition which has been made of the Treaſure and Effects. But as the Reſult of the Converſation which I have had with you on this Subject, promiſes an equitable and impartial Mode of Deciſion, I ſhall tranſmit the Letter to the Board, with ſuch Obſervations as the Sentiments of Candour and Confidence which it contains, as well as the great Merits and Services of the Detachment, intitle the Gentlemen to expect from me.

" I am, Sir, &c.

(Signed) " Warren Haſtings."

" Chunargur, 30th November 1781.

" To Major Popham.

" Sir,

" I requeſt that you will be pleaſed to repreſent to the Officers of your Detachment, with what Reluctance I return the Preſents with which they have honoured me, and which I eſtimated not by their intrinſic Value, conſiderable as they are, but as Teſtimonies of the Affection of a Body of Gentlemen for whom I entertain the higheſt and beſt founded Eſteem and Reſpect.

" Nothing leſs than the apparent Inconſiſtency which my Conduct would wear in retaining Preſents of ſuch Value, after the Opinion I have delivered concerning the Property of which they compoſe a Part, could prevail upon me to part with the Pledges of an Attachment for which I am ſo ſolicitous. But I ſhall ever preſerve the moſt grateful Remembrance of the Sentiments which thoſe Pledges are intended to convey.

" Although I cannot accept of Preſents which I conſider to be a Part of Property yet undecided, I am deſirous of giving the Gentlemen of the Detachment a Proof that I do not mean to decline receiving any Marks of their Regard, which I think they can with Propriety beſtow, or I accept; and this Proof is afforded me, by requeſting they will indulge me with the Shamſcrit Manuſcripts which may be found in Bidjygur, where, I am informed, Rajah Cheyt Sing had made a curious and valuable Collection.

" I am, Sir, &c.

(Signed) " Warren Haſtings."

" Read the following Letters from Captain John Hamilton,
Lieutenant P. Fallon,
——— Falvey,
J. Campbell,
Lt Olr Carry,
C. Evelyn."

" To J. P. Auriol, Eſquire, Secretary to the Honourable the Governor General and Supreme Council.

Officers who have ſhared in the Diſtribution of the Beejy Ghur Prize Money.

" Sir,

" In Compliance to the Orders of the Honourable Board of the 18th of February laſt, reſpecting the Plunder taken in the Fortreſs of Bejygur, I have the Honour to acquaint, for the Board's Information, that I am, at all Times, willing to abide by their Deciſion; but having incurred Debts to a conſiderable Amount from the Service of a Eleven Years in a Subaltern Line, I, on receiving my Quota of the Prize Money, remitted it to the Liquidation of thoſe Debts, as being preſent at the Capture of ſeveral more important Fortreſſes, the Prize Money was, without Heſitation, immediately divided among the Captors.

" 14th May 1782. " I have the Honour to ſubſcribe myſelf, &c.

(Signed) " John Hamilton."

The Managers for the Commons ſtated, they ſhould next read the Plan at the Time by Mr. Haſtings, for the future Regulation of the Police, and Adminiſtration of Juſtice:

Read, the following Extract, from the printed Minutes, beginning at Page

"Copy of the Plan for the Eſtabliſhment of Police and Courts of Judicature in the Banaris.

"Whereas the Town of Banaris is, and has been for many Years paſt, totally deficient in eſſential Regulation, uſually eſtabliſhed in all large and populous Places, for the Maintenance of Peace, and the Security of the Perſons and Property of the Inhabitants: And whereas the ſaid Place is the fixed Reſidence, or occaſional Reſort, of Perſons of all Religions, from every Part of Hindoſtan and Deccan, and in Effect rather the capital Seat of the Religion of the Hindoos than of the Territory to which it immediately appertains; and from that Conſideration alone, demands a more immediate Protection and Attention from the Powers of Government: for theſe Reaſons, the Governor General, in virtue of the Powers veſted in him by the Governor General and Council, and in the Name of the Eaſt India Company, doth hereby ordain and proclaim:

"That a Perſon ſhall be inveſted with the Chief Magiſtracy of the ſaid Town, with full and complete Authority over every Perſon, Inhabitant or Reſidentt herein, for the Preſervation of the Peace and Adminiſtration of Juſtice, with the Title of 'Chief Magiſtrate' of the ſaid Town of Banaris.

"And it is further ordained and proclaimed, That to enable him duly to execute the ſaid Duties ſo aſſigned him, Three Offices, as herein-after deſcribed, ſhall be eſtabliſhed, in the Manner and with the Powers herein-after mentioned.

"Firſt.—A Cutwall; whoſe Duty it ſhall be to apprehend Perſons who ſhall be guilty or accuſed of Murder, Robbery, Burglary, Theft, or any other Acts of Violence committed in the Town of Banaris againſt the Peace, Perſons, or Property of the People, and to deliver over the ſaid Perſons to the Court of Criminal Juſtice, herein-after appointed and deſcribed; and to ſuppreſs and prevent all Riots and Diſturbances in the ſaid Town, with the Power of inflicting immediate Puniſhment, with Stripes of a Rattan, not exceeding Twenty, on any Offender: For which Purpoſes as aforeſaid, a certain Number of Pykes or Peons in Monthly Pay, and diſtinguiſhed by certain known Badges, ſhall be put under his Charge and Authority by the Chief Magiſtrate, to patrole the Streets at ſuch Times as he ſhall appoint, and to be occaſionally employed in executing the other Services of his Office. And the ſaid Cutwall ſhall receive his Appointment from the Chief Magiſtrate, who ſhall alſo have the Power of diſmiſſing him and appointing another, and of diſmiſſing any of the Officers employed under him. And the ſaid Cutwall is required to obey all Orders, relative to the Duties aforeſaid, which he ſhall receive from the Chief Magiſtrate.

"Secondly. One criminal Court or Fougedary Adaulut; which ſhall be compoſed of One Darogah and Three Mowlavies, Men of approved Integrity, and Skill in the Knowledge of the Mahommedan Laws, for the Trial of all Perſons who ſhall be brought before them, and accuſed of Murder, Highway Robbery, Burglary, Theft, or any other Acts of Violence againſt the Peace, Perſons, or Property of the People, committed in the ſaid Town. And the Sooruthall and Futwah, or Proceedings and Sentence of the ſaid Court, ſhall, on the Cloſe of every Trial, be laid before the Chief Magiſtrate; who, after a due Examination thereof, ſhall return the ſame to the Darogah and Mowlavies of the ſaid Court, with his Warrant for carrying the ſame into Execution; and the Darogah and Mowlavies of the ſaid Court are required and commanded to carry the ſame into Execution. And the ſaid Darogah and Mowlavies ſhall receive their Appointments from the Chief Magiſtrate, who ſhall alſo have the Power of diſmiſſing them, and appointing others in their Room; and the Chief Magiſtrate ſhall have Power to eſtabliſh Rules of Proceſs for the ſaid Court, which Rules the ſaid Darogah and Mowlavies are hereby required to obey.

"Thirdly. One Civil Court, or Dewanny Adaulut; which ſhall be compoſed of One Preſident or Darogah, and Three inferior Judges, being Men of known Integrity and Underſtanding, who ſhall be choſen from among the Inhabitants of the ſaid Town; for the Trial and Deciſion of all Debts, Pledges, Mortgages, diſputed Accounts Transfers of Property, Rights of Neighbourhood, conteſted Boundaries, Rights of Marriage and Claims of Inheritance, and of all other Claims of Property, whether real or perſonal, according to the Principles of natural Juſtice, in all Caſes not depending on the particular and preſcribed Laws and Inſtitutes of the Parties; and in all Caſes which ſhall depend on the particular Laws and Inſtitues of the Parties, the ſaid Preſident and Judges ſhall firſt determine on the Facts, as aſcertained by the Evidence before them, and ſhall adjudge the Right as eſtabliſhed by thoſe Facts, according to the reſpective Laws and Inſtitutes of the Parties, whether they be Muſſulmen or Hindoos; and for this Purpoſe they ſhall be aſſiſted by Two Muſſulmen verſed in the Sherah or Mahommedan Law, and Two Pundits verſed in the Pootee or Code of Juſtice inſtituted for the Profeſſors of the Hindoo Religion, whoſe Opinions ſhall be conſulted and taken in all Caſes referrable to them as aforeſaid. And it is further ordained, That in all Caſes wherein the Judges ſhall not agree in One Judgment, their Opinions ſhall be ſeverally delivered and recorded, and the greater Number of Opinions on One

Point

Point ſhall be taken and conſidered as the complete Judgment of the Court thereon; and if the Number of Opinions ſhall be equal, that of the Preſident ſhall be taken and deemed as equivalent to Two Opinions, and the Judgment of the Court ſhall be paſſed accordingly; and their Judgment ſhall be final in all Cauſes of which the original Amount or Matter in Suit ſhall not exceed One thouſand Rupees: And in all Cauſes of which the original Amount or Matter in Suit ſhall exceed One thouſand Rupees, it ſhall be allowable to appeal from the Judgment of the ſaid Court, within the limited Time of One Month from the Date of the Judgment, to the Chief Magiſtrate, who ſhall have Power to reviſe the ſame, or, if he ſhall think fit, to try the Cauſes again, with ſuch further Evidence as the Parties ſhall bring before him, ſufficient Reaſons, to his Satisfaction, being given for their not having been before produced; and either to confirm or reverſe the former Judgment, or to paſs a new Judgment on the Cauſe; and his Judgment ſhall be final and concluſive. And it is hereby required and commanded, That the Chief Magiſtrate, and the Preſident and Judges of the ſaid Court of Dewanny Adaulut, ſhall keep Records of their reſpective Proceedings, which Records ſhall be admitted as Evidence in all future Cauſes. And the Preſident and Judges of the ſaid Dewanny Adaulut ſhall receive their Appointments from the Chief Magiſtrate, who ſhall alſo have the Power of diſmiſſing them and appointing others in their Room; and the Chief Magiſtrate ſhall have the Power to eſtabliſh Rules of Proceſs for the ſaid Court, which Rules the Preſident and Judges of the ſaid Court are hereby required to obey.

"And it is further required and commanded, That the Chief Magiſtrate do tranſmit to the Governor General and Council, Monthly, Copies of his Proceedings, and Reports of all Perſons appointed or diſmiſſed in the ſuperior Offices; and of all new Regulations eſtabliſhed by him as aforeſaid; and of all Rules of Proceſs inſtituted for the Two Courts of Fougedary and Dewanny Adaulut, and in general of all other Matters of Conſequence, which ſhall relate either to the general State of the Town, or to the ſeveral Branches of his Department; and ſhall obey all ſuch Orders as he ſhall receive from the Governor General and Council. Although the Authority of the Chief Magiſtrate is, for the Purpoſes of this Inſtitution, reſtricted to the Limits of Banaris; yet, that the Ends of it may not be defeated by Offenders flying from his Juriſdiction beyond thoſe Limits, it is hereby explained and declared, That if any Perſon ſhall be guilty of Offences within the Town of Banaris, and ſhall eſcape beyond the Limits of the ſaid Town, the Chief Magiſtrate, or his Officers, ſhall have Power to apprehend, with a written Warrant, and bring them to Juſtice; and it is required and commanded, That the Zemeedars, Aumils, or other Officers of the Diſtrict into which ſuch Offenders ſhall be ſo purſued, do aſſiſt the Officers of the Chief Magiſtrate in apprehending the ſaid Offenders; and that it ſhall alſo be lawful for the Officers of the Judges of the Two Courts of Juſtice, to require and compel the Attendance of Witneſſes living beyond the ſaid Diſtricts, Reaſon being firſt ſhewn, to the Satisfaction of the Judges of the ſaid Court, that the Evidence of the ſaid Witneſſes is neceſſary.

"And it is hereby further ordained and proclaimed by the Governor General, That Ally Ibrahim Khan be appointed, and that he is accordingly from this Date appointed the Firſt Chief Magiſtrate of the Town of Banaris."

The Counſel for the Defendant informed the Houſe, That it being ſtated in the Charge, that, 'after the Expulſion of the Rajah Cheit Sing, Mr. Haſtings did, of 'his own uſurped Authority, and without any Communication with, or any Ap-'probation given by, the other Members of the Board, appoint the Rajah Mehipna-'rain to the Government of the Province of Benares;' they ſhould next proceed to ſhew, that the other Members of the Board did, in Fact, approve of this Appointment: For which Purpoſe they would refer to the Extract of a Conſultation of the 3d December 1781, in Book 518, beginning at Page 691, of the ſame Book, already given in Evidence on this Day. (*a*)

To ſhew, That the Duties which the Defendant impoſed upon Merchandiſe in the Province of Benares, were in Fact previouſly ſubmitted to a Committee of Merchants, and met with their Approbation; and that what was found to bear hard upon ſome particular Articles, was altered.

The Managers for the Commons deſired to know how it appeared, that a Reference was made to a Committee of Merchants upon this Subject.

The Counſel for the Defendant informed the Houſe, That if it appeared upon the written Evidence, they would point it out; if not, they would examine Mr. Markham to it.

Read, the following Extract from Page 154, of the printed Minutes.

"I have already adviſed you very fully of the Appointments which I have veſted in the Perſon

(*a*) Vide ſupra, Page 1638-9.

of Ally Ibrahim Khan, reſpecting the Police and Adminiſtration of Juſtice in the Town of Benaris; the Inſertion of the other Articles comprized in this Requeſt aroſe from my having directed them to be aboliſhed, becauſe they appeared to me to be diſcreditable and impolitic.—The following is a Liſt of the Particulars.

1. Nekauſs.	Duties on the Sale of Horſes; an oppreſſive Tax, and inconſid in its Amount. It was not my Intention to make this an e Prohibition; but having marked it, with other Articles I thought improper, in the Liſt of Revenues collected b Aumeen of Banaris, it was conſidered as an expreſs Prohibi and I choſe to let it ſtand with that Conſtruction.
2. Taxes levied on Strangers.	Conſiſting of the following Heads. 1ſt. Duſtoor Perdaſſy, or Duties levied on Pilgrims. 2d. Dullaulee Perdaſſy, or Sums paid by the Brokers to buy and ſell for the Pilgrims.
3. Talaſhee.	Duties taken on the Examination of Perſons travelling from Banaris.
4. Khummaur Khanah.	Revenue paid by the Keepers of Gaming Houſes.
5. Duſtoor upon Rings.	A Revenue paid by the Sellers of the Rings uſually bought by Pilgrims.

" The 2d, 3d, and 5th Articles have been often repreſented to me as grievous Impoſitions, no leſs in their Amount, than in the Mode of levying them, and a great Diſcouragement to Strangers, whom the Spirit of Devotion might induce to come to Banaris. The Abolition, in itſelf a popular Act, and extending its Influence to every Part of India, is likely to pay the Loſs ariſing from it, by the Inducement which it will afford to greater Numbers to reſort to Banaris, in the Proportion of the Immunity which it repreſents to them."

Read, a further Extract from Page 182, of the printed Minutes.

" Letter to the Governor General and Council, dated the 22d of November 1781, reſpecting the new Regulations for the Collection of the Cuſtoms within the Zemeedary of Banaris.

" To Edward Wheeler and John M'Pherſon Eſquires, Members of the Council of Fort William.

" Gentlemen,

" The Mode of collecting the Cuſtoms on Merchandize paſſing through this Province, being attended with much Abuſe, and the Rates unequal, being proportioned to the Load, not to the Value of the Goods; I have iſſued Orders that the Cuſtoms ſhall be hereafter collected only at Three Stations; namely, Mirzapoor, Banaris, and Ghauzipoor, by appointed Officers inſtead of Farmers, and according to a new Table of Rates formed on the ordinary Prices of the Goods; the Duty to be levied thereon at the Rate of 5 per Cent. and in one ſingle Payment.

" Incloſed are Copies of my Orders to the Rajah, and to the Reſident, and of the Table of Rates.

" I have the Honour to be, &c. &c.

" Chunargur, the 22d of November 1781.

" Warren Haſtings."

Read, a further Extract from the printed Minutes, beginning at Page 297, of the ſame.

" Fort William, 8th April 1782.

Secret Dept. Monday.

" At a Council; Preſent,

The Honble. Warren Haſtings, Eſq. Governor General, Preſident;
Edward Wheler, and John M'Pherſon, } Eſquires.
Lieutenant General Sir Eyre Coote, K. B. abſent on Service at Fort St. George.

☞ [" Read, the following Letters from the Reſident at Benares.

" Honourable Sir and Sirs,

Reſident at Benares, 20th and 29th March.

" I do myſelf the Honour of tranſmitting you, according to the Orders of the Honourable Governor General when at Benares, Account Particulars of the Cuſtoms as deſigned to be levied, and of the Duty as levied by Rajah Cheit Sing.

" You will perceive that, to preſerve Uniformity and to point out whatever Difference there may be between the preſent Duty and that propoſed to be levied in a more ſtriking Manner, I have rated the Three laſt Columns on a Tungay, or Six Maunds, the Load which a Bullock is ſuppoſed to carry; as the former Method of collecting the Duty was on the Weight, not on the Value of the Goods.

" I ſhall truſt to the Candour of your Honourable Board for my Excuſe in pointing out ſome Articles on which a Duty of 5 per Cent. will be too heavy, and by which the Collection would be required, viz. Mace, Cloves, Nutmegs, Cinnamon, and Silk.

" The People who principally trade in theſe Articles are the Maratta Merchants, and a religious [illegible]ct called Ahteets, who generally land their Goods at Mirzapore, and from thence carry them by [illegible]l and Bullocks into the Decan, or to Delhy; and they will find it more profitable to unload [illegible]Boats at Patna, and carry their Goods through Ramgur, than to pay ſo heavy a Cuſtom as [illegible]Cent. will amount to in the Road from Patna to Mirzapore.

[illegible]know for certain, that on the Rumour being ſpread, in December laſt, that 5 per Cent. was [illegible]levied on every Article, by the Directions of the Honourable the Governor General, that [illegible]ncipal Houſes in the Decan immediately ordered their Gomaſtahs to ſtop all their Boats at [illegible], and to ſend their Goods by the Rout above mentioned, if the Duty of 5 per Cent. was [illegible]nued.

" I beg leave to lay before your Honourable Board another Propoſition; Whether it will not be judicious to reduce the 5 per Cent. to 2½ on our own ſtaple Commodities, viz. Broad Cloth, Europe Iron, Steel, and Copper.

" I have the Honour to be, &c.

" Benares, the 20th March 1782. (Signed) Wm Markham."

" P. S. I have not been able to bring ſome certain Articles within the accompanying Statement, on Account of their indefinite Value and Weight. You will obſerve that Cloths more particularly are in the above Predicament.

(Signed) " W. Markham."]

" Reſolved, That the Duties of 2½ per Cent. collected by the Aumeen be aboliſhed.

" Agreed that the following Letter be written to Mr. Markham.

" Sir,

" We have received your Letter of the 20th ultimo, with the Account of Duties deſigned to be levied by the Governor General's late new Arrangement, and of thoſe exacted by the late Raja. To the Reſident at Benares.

" As we agree with you in Opinion, that the Duty of 5 per Cent. being a great Increaſe upon the former Rates on ſome Articles would be too heavy, we direct that it be reduced to 2½ per Cent. upon the following Goods, viz.

Saffron,
Cinnamon,
Mace,
Cloves,
Nutmegs,
Cochineal,
Raw Silk,
Broad Cloth,
Europe Iron,
Steel,
Copper.

" Fort William, the 8th April 1782. " We are, &c."

To prove, That the Penſions granted by Mr. Haſtings were for public Services performed,

Read, the following Extract from the printed Minutes, beginning at Page 122 of the ſame.

" I avail myſelf of this Repoſe in my Narrative to relate another Inſtance of private Merit in Beneram Pundit, the Vakeel or Miniſter of the Rajah of Berar, and his Brother Biſſumber Pundit. Theſe Perſons had come to pay their cuſtomary Attendance at my Quarters, about the Time that the Line was already on the March. They immediately joined it. Some Time after I ſaw and ſpoke to them, expreſſing ſome Concern to find them in that Situation. They were on Foot, without a ſingle Servant or Attendant. I ſuffered them to accompany me till we came to the Plain and halted. I then thanked them for the Proof which they had ſhewn of their Attachment, with which I was ſatisfied, and deſired them to return, as they had a large Family in Banaris, which would be expoſed by their Continuance with me to the Reſentment of Cheit Sing, and perhaps to the worſt Effects of it, nor could by their Preſence afford me any Service, which could repay what I myſelf ſhould feel of Compunction for ſuffering them to be expoſed to ſuch Hazards. They refuſed me in a peremptory Manner, without Compliment, or the Oſtentation of performing meritorious Service; and perſiſted, although I as peremptorily inſiſted on their Return. I then deſired that the elder Brother, who was corpulent, and of a Conſtitution leſs equal to Fatigue, would return, and the younger only remain; but could not prevail. A few Days after my Arrival at Chunar, I caſually mentioned to them my Diſtreſs for Proviſions, which was occaſioned principally by the Want of Money; for ſuch was our total Loſs of Credit, that we could not raiſe a Sufficiency even for the ordinary Wants of our ſmall Detachment; and it was with great Difficulty, and a Degree of Violence, that Lieutenant Colonel Blair extorted

from the Shroffs of Chunar, who had lived and grown opulent under the Protection of the Garriſon, the ſmall Sum of 2,500 Rupees, which was diſtributed among all the Sepoys, and afforded a ſatisfactory Relief. Beneram Pundit immediately, and with an Eagerneſs which belonged to his Character, told me that he had a Lack of Rupees in ready Money, lying in his House at Banaris, which I might take, if I could find any Means to receive and convey it to Chunar. His younger Brother adviſed, as the ſimpleſt Expedient, to ſend a Battalion of Sepoys for that Purpoſe, which could eaſily go and return without Interruption, as there were no Troops ſtationed near the Town on that Side of the River, offering to accompany it himſelf and to bring away the Money. I rejected this Propoſal for an obvious Reaſon, and preferred the Trial of the Means which the Shroffs are ſuppoſed to practiſe for the Conveyance of Money on ſuch Occaſions. I accepted a Draft on their Family for the Sum, payable to Contoo Bauboo, my Dewan, who had been left in Banaris, and ſent it incloſed in a Letter to him, with Directions to concert with Gopaul Daſs the Means of conveying it to Chunar. This proved ineffectual. Contoo Bauboo could not be found. Gopaul Daſs was ſeized, I forget at what exact Period of Time, and ſent a Priſoner to Luttefpoor, and in a ſhort Time after, Contoo Bauboo was alſo taken, and conveyed to the ſame Place of Confinement; I was obliged therefore to wait for a more favourable Opportunity, which never happened while I remained at Chunar. After my Return to Banaris, Beneram again repeated the Offer; I accepted it, and received the whole Amount on the Inſtant, giving him a Note in the Company's Name, and in the uſual Form, for the ſame.

" Examples of Fidelity and national Attachment merit the firſt Reward of being recorded. In me it is a Duty both of public and private Obligation to relate what I have related. Their Merit is national; for, under whatever Impreſſions their Aſſiſtance was offered, its Object was the national Service; nor can my Perſon in ſuch an Inſtance be ſeparated from my public Character."

Read, a further Extract from the printed Minutes, Page 152.

[" Although I am convinced that with proper Management the Zemeedary might yield an Amount conſiderably exceeding that which I have taken as the Eſtimate of its Value; yet I muſt expreſs my Apprehenſion, that unleſs the Naib can find Means to avail himſelf of better official Aſſiſtance than he at preſent poſſeſſes, his real Profits will fall below their allowed Amount; and on that Account I have encouraged him to hope, that if he ſhall prove himſelf diligent in his Office, and punctual in the Diſcharge of his Kiſts to the Company, he may hereafter obtain, from the Indulgence of the Board, ſome Remiſſion from the ſtipulated Jummah, whenever the actual Demands of the Company ſhall be leſſened, and the State of their Treaſury will admit of it; and this I ſhall recommend as an Act of Generoſity becoming their former Relation to this Province, and equally warranted by the Principles of good Policy: For there are certain Lines, beyond which the Exaction of a Public Revenue will not only defeat its own Purpoſe, but operate as effectually to a Reduction as an intentional Act of Bounty could do. But it is not my Wiſh to engage the preſent Attention of the Board in a Diſcuſſion upon this Subject; my Deſire being only to premiſe what I may hereafter find neceſſary to introduce to their further Conſideration, ſo that any future Propoſition may not appear to ariſe wholly from the inſtant Occaſion of it.

" I now proceed to the Explanation of the Particulars of the Settlement, as contained in the Account N° 3. H. The firſt Deduction made from the groſs eſtimated Jummah of Rupees 53,06,002.12. is the Sum of Rupees 61,496, granted in Jagheers and other Alienations. The Firſt is a Jagheer granted to Beneram Pundit, of the yearly Amount of Rupees 25,000. I have already acquainted the Boatd with the faithful Services of this Man and his Family, during the late Troubles, which I can take upon me to aſſure the Board, whatever was our Opinion of them at the Time, and however repugnant it may be to our national Character to regard any Situation of Affairs with the Eye of Deſpondency, were conſidered univerſally by all but ourſelves, equally by Friend and by Foe, as utterly deſperate. To the Merits of Beneram Pundit and his Brother on this Occaſion, I muſt add a long Series of Attachment and effectual Service, from the Year 1773 to the preſent Time. Though the immediate Servants and confidential Miniſters of a foreign State, to the conſtitutional Members of which they have always profeſſed an almoſt enthuſiaſtic Devotion, they have zealouſly adopted all my Views for the Promotion of a Connection between their Government and ours. For this Purpoſe, Beneram Pundit, at my Requiſition, made One Journey to Naugpoor, and attended Colonel Leſlie and Colonel Goddard in the firſt Operations of their Detachment. Another of the Brothers ſtill attends General Goddard in the ſame Capacity, and has been of great Uſe, by his Letters, in refuting the falſe Repreſentations which were made from Poona to the Government of Berar of the Events of the War. Beneram Pundit proceeded to Naugpoor, and, chiefly at my Requiſition, returned with a Conſtitution much impaired by the cuſtomary Effects of the malignant Climate of the Route lying between Calcutta and Naugpoor. To his Influence I entirely aſcribe the generous Conduct of that Government to ours in many ſignal Inſtances, which ſtand recorded on our Conſultations, and will be univerſally acknowledged as ſuch, when Time ſhall have effaced the Prejudices with which they have been, and perhaps ſtill are, repreſented by ſome; and to him I owe the Influence which I myſelf poſſeſſed with the late Dewan Demaugur Pundit, and its Effects while he was living. In the ſame Spirit of common Attachment, Biſſun-

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ber Pundit, the younger Brother, went, inſtructed by me, to Chimnajee Bauboo, the Commander of the Army employed laſt Year in the Province of Oriſſa, and aſſiſted Mr. Anderſon in his Negotiations. In all theſe Inſtances I have conſidered and treated them equally as the Friends of our Government, and the faithful Servants of their own; and wherever I have been, one or both have been my conſtant Attendants.

" If theſe Services ſhall be admitted as meritorious, although they ſhould be aſcribed to Motives of perſonal Reſpect to myſelf, ſtill let it be conſidered, that it was in my Character of the firſt and executive Member of our State that I received ſuch Inſtances of it, or could have the Means of inſpiring it; and that I doubt whether a national Attachment, in an alien Breaſt, can either grow or ſubſiſt on any other Principle.

" For all theſe united Reaſons I have thought it incumbent upon me to recompence the Merits of this Family, by the ſeaſonable Grant of a public Income derived from the Settlement of the Province in which they reſided, and in the Recovery of which to our Authority they have made to themſelves ſo near an Intereſt.

" The Board have been pleaſed to repoſe ſo generous a Confidence in me, that I perſuade myſelf that I ſhall not need their Excuſe for having determined this Act by my own Authority. It was neceſſary to include it in the Settlement, as it would have been the Source of much Embarraſſment, and given riſe to unreaſonable Claims, had it been ordered after the Settlement had been concluded. I might indeed have applied to the Board, and received their Anſwer in ſufficient Time for the Concluſion of the Settlement, had I known that the latter would have been ſo long delayed; but it had been from the Beginning my Intention to form it immediately on my Return to Benaris, and I was only prevented from finiſhing it ſooner by the Delays and Procraſtinations of others, which I could not conquer.

" Upon this Subject I have only to add, that the Bounty of our Government has been rarely exerciſed on ſuch Occaſions; that no Occaſion ever did more juſtly demand the Exertion of that Principle; and that it is one of the Duties of Government, as it is one of its beſt Inſtruments, to exerciſe it for the Reward of paſt, and for the Encouragement of future Deſerts."

To prove the Miſconduct of Durbedgey Sing, and the Conſequences that would have followed if he had been continued in his Office,

Read, from Book 557, already delivered in, the following Letter from the Reſident at Benares, to the Governor General, dated the 4th Auguſt 1782, beginning at Page 36 of the ſame Book.

" Benares, 4th Auguſt 1782.

" The Honourable Warren Haſtings, Eſquire, Governor General, &c. &c. &c.

" Fort William.

" Sir,

" According to your Directions, ſignified to me in your Letter bearing Date the 15th July, I immediately wrote to Durbutzy Sing, informing him, that I had received Two Perwannahs from you, which muſt be delivered into his own Hands. He came to me on the 25th ultimo. Having given him your Letters, I made him acquainted with the entire Subſtance of your Orders to me, the Diſpleaſure which you expreſſed at his Miſconduct, and the Oppreſſions which his Aumils had committed; and fully informed him what Powers you had entruſted to me, in the Event of his diſobeying thoſe Orders, or trifling in the Execution of them.

" He profeſſed entire Obedience; aſſured me that, of his own Accord, he has already confined Zulam Sing; that the other Delinquents ſhould be immediately recalled; and that he would appoint Three Perſons who ſhould inquire into their Conduct.

" I am now ſorry to inform you, that no Part of his Promiſes have been fulfilled; by the Date of this Letter, you will obſerve that Ten Days have elapſed ſince I delivered him your Perwannah. On the 30th July I wrote to him, reminding him, that the Time was nearly paſt away to which your Letter had limited him for Compliance to your Inſtructions, and deſired him to come to me, that I might converſe with him on the Subject. He was ill. On the 2d Auguſt, I again required his Preſence. He anſwered me, that Illneſs prevented him; but that he had ſent his Brother.—When I enquired of Omrow Sing, what Perſons the Naib had made Choice of as fit to enquire into the Miſconduct of the Aumils, or to what Aumils he intended to entruſt the Pergunnahs, from which the former were to be recalled, he aſſured me of his entire Ignorance of the Buſineſs, and that it was the firſt Time he had been informed that his Brother the Naib had received ſuch Commands from you. As I am entirely convinced that Durbutzy Sing's Intention was only to trifle with me, I have appointed Four People of Reputation to enquire into the Truth of the Repreſentations made by the Zemindar, and Ryots of Zemmineah and Chounſah againſt Baboo Zallum Sing, &c. I ſhall diſobey your Orders by not having appointed a Fifth, but I really am not acquainted with any other Perſon * Perſon in Benares, to whoſe Integrity and Capacity I chooſe to entruſt any Enquiry of this Nature.—The following are the People whom I have ſelected for this Inveſtigation: Abdoo Raſhud Khan, Aga Fuckroo-dien, Lalla Scheo Sing, and Lalla Benni Perſaud.

* Sic in Orig.

" I am

" I am ſorry that I muſt relate a Circumſtance to you, that will not more ſtrike you with Horror, than with the Imbecility and Irreſolution of the Naib's Adminiſtration.—Sunker Rutten One of the Delinquents pointed at in your Letter, being much in Balance to the Rajah Burbi Sing, inſtead of ſeizing his Perſon immediately, as your Letter directed, commiſſioned Boul Dutt, a Perſon of ſome Family, to go to him to promiſe him Protection and Friendſhip, and perſuade him by gentle Means to come to Benares.—Sunkeer Rutten, though totally unacquai that you had given any Orders reſpecting him, conſidered Confinement as inevitable, ſhould he obliged to account for the Kiſts which he was in Balance, or for his Conduct as an Aumil; came to the immediate Reſolution of maſſacreing Boulah Dutt, together with his Retinue, and eſcaping with what Money was in his Hands. He accompliſhed the Buſineſs on the Spot, loaded his Horſes with about 20,000 Rupees, and abſconded, no Perſon being acquainted what Road he has taken.

" I have written to Allahabad, to the Reſident at Lucknow, and to Uzeem Ghur, endeavouring to apprehend him, and am making every Search through this Zemindarry, that I may, if poſſible, bring the Murderer to condign Puniſhment; though I am apprehenſive the Confines of the Nabob's Territories are ſituated but too opportunely for his Eſcape.

" I wiſh to avoid, if poſſible, every Appearance of Interference in the Mofuſſil, and ſhall therefore endeavour to oblige Durbutzy Sing to appoint his own Aumils to the Pergunnahs which will be vacant; he had before your Letter arrived, conſigned Zumminuah, Chowſah, &c. to Tockri Buckt Sing.

" I have the Honour, &c."

Read, the following Extract, from Page 300 of the printed Minutes.

" To the Honourable Warren Haſtings, Eſq. &c. &c. &c.

" Benares, 24th October 1782.

To the Honourable Warren Haſtings Eſquire, from Mr. Markham.

" Honourable Sir, and Sirs,

" I have delayed ſending to you the Accounts Treaſury for the Month of September, as I have yet only received from Rajah Myip Narain the Sum of 1,55,000 Rupees in Part Payment of the Kiſt of Bahdown due the 21ſt ultimo.

" The Month of Aſſin is now elapſed, and I ſee no Probability of his ſpeedily completing the Balance due on Account of the Malguzzary of the laſt Year. I have in the ſtrongeſt Terms repreſented to the Naib Durbeetzy Sing the Impropriety of his Conduct, and the Ruin which muſt attend him; if thus acting contrary to my Advice, he will fully abuſe the Truſt repoſed in him by your Honourable Board. He cannot plead Inability, for I am confident that he has ready Caſh now by him more than ſufficient to anſwer every Demand.

" I am ſorry that my Duty obliges me to mention to your Honourable Board my Apprehenſions of a ſevere Loſs accruing to the Honourable Company, if Baboo Durbeetzy Sing is continued in the Naibut during the preſent Year. I ground my Fears on the Knowledge I have had of his Miſmanagement; the bad Choice he has made of his Aumils; the Miſtruſt which they have of him, and the ſeveral Complaints which have been preferred to me by the Ryotts of almoſt every Purgunnah in the Zemindarry. I did not chooſe to waſte the Time of your Honourable Board in liſtening to my Repreſentations of his Inattention to the Complaints of Oppreſſion, which were made to him by his Ryotts, as I hoped that a Letter he received from the Honourable Governor General would have had Weight ſufficient to have made him more regular in his Buſineſs, and more careful of his Son's Intereſt. I am ſorry to obſerve, that it was but a temporary Remedy to the Evil.

" During a Courſe of Two Months Illneſs, he was incapable of tranſacting any Buſineſs whatſoever. In the moſt preſſing Letters, I repeatedly enjoined him to appoint either One of his Brothers, or ſome confidential Servant, for the ſettling the Accounts of his Aumils, and for receiving the Kiſts due from them. I imagine he will find himſelf a very conſiderable Loſer by neglecting this Advice.

" An innate Sloth in his Diſpoſition, and a ſtudied Procraſtination in every Buſineſs where Application and Diſpatch are neceſſary, mark him as unfit for the preſent Station, to which he has been elevated by his Alliance with the old Family of Bulwant Sing, and the Regard which the Honourable the Governor General paid to the obvious Idea of the Father's being the moſt proper Perſon for the Management of the Son's Affairs.

" I intended to have repreſented theſe Circumſtances to your Honourable Board ſome Weeks ago, but was prevented by a ſevere Intermittent Fever, which confined me to my Bed.

" I acquainted Mr. Day, the Paymaſter to Sir John Cumming's Detachment, that I had your Directions for advancing Three Months Pay; but he required only Two Lacks of Rupees, for which I have taken his Drafts on the Military Paymaſter General.

" I have the Honour to be, &c. &c. &c.

Wm Markham, Reſident."

The

The Counſel for the Defendant ſtated, That it being charged in the Article, that Baboo Doorkbijey Sing was, by the private Orders of Mr. Haſtings, violently thrown into Priſon and confined therein under Pretence of Nonpayment of the Arrears of his Peſhcuſh: They ſhould next proceed to ſhew that he was in Arrear; and, that it was done under an Order and by the Approbation of the Board.

Read, from Book 19, already delivered in, the following Extract of a Conſultation of the 4th December 1782, beginning at Page 733 of the ſame Book.

" Fort William, 4th December 1782.

" At a Conſultation; Preſent,

Edward Wheler,
John M'Pherſon, and } Eſquires.
John Stables,

The Governor General and Sir Eyre Coote indiſpoſed.

Secret Dept. Thurſday.

" Mr. Wheler,

" I approve of the Meaſures recommended by the Governor General's Minute reſpecting Baboo Doorkbijey Sing, and of the Mode of carrying them into Execution, through the Reſident of Benaris, which is his official Duty; and alſo of the Appointment of Jaggeer Deeo Sing to fill the Office of which Doorkbijey has been diſpoſſeſſed; and of the Appointments recommended in the Governor General's Letter of the 29th September. The ſevere Indiſpoſition with which the Governor General was afflicted when theſe Letters were received, and his Abſence from the Preſidency, are Subjects well known to every Member of the Board.

(Signed) " E. W.
M'P.
J. S."

" To Mr. Markham.

" Sir,

" We have now before us, your Letters of the 24th October, 12th and 14th November; the Governor General has likewiſe communicated to us a Copy of the Letter which he wrote to you on 29th September from Nia Serai.

Mr. Markham.

" The Meaſures which you have taken with Babao Doorkbijey Sing are perfectly right and proper ſo far as they go, and we now direct that you exact from him with the utmoſt Rigour, every Rupee of the Collections which it ſhall appear that he has made, and not brought to Account; and either confine him at Benares, or ſend him a Priſoner to Chunar, and keep him in Confinement until he ſhall have diſcharged the Whole of the Amount due from him.

We likewiſe direct, that for the Offence which he has been guilty of, you diveſt him of the Jaghir which was aſſigned him, and re-unite the Property of it to the Malguzarry or the Land, paying its Revenue through the Rajah to the Company.

" We approve and confirm your Appointment of Babao Jagger Deeo Sing, to the Office of Naib of the Zemindarry in the Room of Doorkbejy Sing; and deſire that you will inveſt him immediately with the uſual Khelaat in due Form.

" We alſo direct you to carry into Execution the other Points of the Governor General's Letter to you of the 29th September, which remain to be accompliſhed. (a)

" Fort William, 4th December 1782.

" We are, &c. &c. &c."

(Signed at the End of the Conſultation)

" Edward Wheler,
John Macpherſon,
John Stables."

The Counſel for the Defendant informed the Houſe, That they tendered the above Extract alſo to ſhew, that the Board approved of the Appointment of Jagger Deo Sing, to ſucceed Doorkbijy Sing.

To ſhew the Conduct of Jagger Deo Sing, and the Grounds upon which he was removed,

Read, from Book 74, already delivered in, the following Extract of an Appendix to a Conſultation of the 24th Auguſt 1785, beginning at Page 787 of the ſame Book.

" Petition of the Rozemedars of Benares, Chunar, Juanpore, and Ghazipore.

" Bauboo Juggerdeo Sing has diſtreſſed us for Two Years. In the laſt Year having taken by Force the Sum of Three thouſand Three hundred and Thirty Rupees from the Houſe of Caſhmerry Mull, and given us a Tunkaw for Thirteen Thouſand; ſo that he poſſeſſed himſelf of

(a) Vide Appendix, N° CCLVI.

16,330 Rupees this Year; hearing of your Approach, he has given us Three Tunkaws there is no Hope of our realizing, ſo that when you depart, he will as before, poſſeſs h the ſame Sum, and we ſhall every Year be oppreſſed. We hope from your Benevole Suzzawul may be ſtationed with the above named Baboo that we may receive our Ri from the preſent Time, agreeable to ancient Uſage, that he give Perwannahs to each his Money on the Pugunnah Bohelu. May God keep the Sun of your Age and Pro ſplendent." (*a*)

Read, a further Extract from the ſame Appendix, beginning at Page 791 ſame Book.

" Petition of the Ryots of Kizziaut and Mujoah Taâlooks.

" We complained of the Oppreſſions of the Aumils at the Preſence in and you ordered that we ſhould relate our Situations to Jaggerdio Sing, who would afford us Redreſs accordingly. While you ſtaid he ſoothed us, and gave us Purwannahs as before uſual; but on your Departure the Aumil put over us ſtrict Muhuſſels, and in the ſame Manner as laſt Year, forcing from us the Bhair and Bhaſte to the Mouth of Paughun, ſeized all our Crops, demanding Half the Produce, according to the Dunabundy. We went and related this to Juggerdio Sing, but he paid no Atttention to our Complaints, and ordered Sepoys and Chubadars to puſh us out of the Cutcherry, ſaying, we might go when we chuſe; we are come to the Preſence for Orders.

" The Aumil repreſents, for the laſt Three Years the Complainants have only paid Half the Jumma to the Sickar; in anſwer to which they reply, that they made good all Demands upon them, and are not acquainted with the Jumma of the whole Diſtrict.

" The Aumil repreſents, that many of the Ryots of his Taalooks gave Caboaliots to pay their Rents in Kind agreeable to a Dunabundee ſettled by an Amun. The Complainants deny their being conſulted on the Occaſion, and ſay they are ready to pay all Demands according to their Pattahs.

" The Aumil ſays, Orders were given by the Reſident, that the Complainants ſhould conform to the Dunabundee. They reply, that on going to complain at Benares, Mr. Benn promiſed them Redreſs, but that Mr. Fouke did not hear them, and at the Requeſt of Aga Hoſſim gave him a Guard, who confined Nineteen of the Brethren, and forced them back to their Villages. The others came to the Governor's Preſence for Redreſs.

" Pottah of Agreement given by Penanaut Miſſer and Seou Balik Dorbee, Aumils of Buggruthorpe Pergunnah of Kirriaut Sircar Chunar.

" With firm Agreement it is written to Ram Taal Chobe. He will cultivate his Lands with Satisfaction; according to the Pottah, an eſtabliſhed Jumma of Forty-five Rupees Sicca Benares ſhall be demanded from him. He will to the End of Chite by ſtated Payments pay the ſaid Sum to the Treaſury of the Sirca, and make no Evaſions.

" N. B. Ram Taâl produces the Receipt of the Kurhun for Forty-ſeven Rupees paid by him, and complains that the Aumil notwithſtanding demands Half his Grain."

Read, a further Extract from the ſame Appendix, beginning at Page 795 of the ſame Book.

" To Francis Fowke Eſquire, Reſident at Benares.

" Sir,

" Encloſed is a Complaint of Rajah Govinjut againſt Juggerdio Sing, which I deſire you will inquire into; and ſhould it be found juſt, requeſt you will be pleaſed to order the latter to deſiſt immediately from ſuch Oppreſſion, and reſtore the Rajah what Money may have been collected from the Sayer of the Place ſpecified. (*b*)

" Lucknow, 13th May 1784.

" I am, &c.

(Signed) " Warren Haſtings."

Read, a further Extract from the ſame Appendix, beginning at Page 780 of the ſame Book.

" To Francis Fowke Eſquire.

" Sir,

" I refer to you the encloſed Tranſlation of a Petition, which I have received from Amrow Sing and Buhhut Sing, late Aumils of Semania, &c. and requeſt that you will inquire, and report to me, the true State of their Caſe. Long before I left Calcutta, I was informed of their Grievances; which, whether true or falſely ſtated, were aſcribed to a Reſentment for ſome ancient Difference ſubſiſting between the Manager and the Petitioners. At any Rate, it is contrary to Juſtice that the Manager ſhould be the Judge in a Cauſe in which he is an intereſted Party; and I recommend it to you, to take the Complaints out of his Hands, and refer his Claims upon them

(*a*) Vide Appendix, N° CCLVII.

(*b*) Vide Appendix, ibid.

hem to the Arbitration of creditable Merchants, or Shroffs of Benares. I ſhall deſire to receive Copy of their Award.

" Benares, 16th March 1784.

" I am, Sir, &c. &c.
(Signed) " W. Haſtings."

" Petition of Amraw Sing Takhru Bukht Sing.

" Mr. Markham and Baboo Jaggerdio Sing took from me an Agreement for the Charge of Nine Pugunnahs, at the Jumna of Seven Lacks, Eighty-four Thouſand Six Hundred and Twenty-ſix Rupees, and gave me a Leaſe for Three Years. While Mr. Markham was here, the Baboo gave me no Trouble; but on his Departure, affected Diſpleaſure towards me, without a Cauſe, ſending Perwannahs to protect Zemindars, and put a Suzzawul over me, from which Diſorders aroſe in my Diſtricts. Notwithſtanding this, I have, by Help of Bankers, paid the Kiſts of the Sickar. The Baboo, by putting to Account the allowed Deductions, brought a Balance againſt me; and though I repeatedly ſet forth the Injuſtice of the Demand, he would not liſten, but ſhewed greater Diſpleaſure, and confined me and my Brothers, ſending alſo a Guard to my Houſe to oppreſs me now. He diſpatched Perwannahs to the Zemindars not to pay me a Daâm, for the Country would not remain with me; at the ſame Time ſaying, that if I would give him a Banker's Teep for Seventy Thouſand Rupees, he would replace me. Fearful for my Life, I gave the Teep; but the Baboo returned it; took the Mahals from my Management.

" I am ready to pay the Demands of the Sirkar, and manage the Collections; but if I am not judged fit for this, I hope that the Pergunnah of Buddhole, my Zemindarry, may be committed to me, that I may reſide in it with my Family, and pray for the Welfare of the Sirkar. Near a Lack and Seventy-five Thouſand Rupees are owing me in my Diſtricts, beſides an Advance of near Five Hundred Ploughs. Let them be taken by the Sirkar, and I be releaſed with my Life. I have no other Refuge but your Benevolence and Clemency, and am every Way ready to obey." (*a*)

Read, a further Extract from the ſame Appendix, beginning at Page 788 of the ſame Book.

" To Francis Fowke, Eſquire,

" Sir, Reſident at Benares.

" I am directed by the Honourable the Governor General to acquaint you, that he has read with Attention the Petition from the Aumil at Ghazipore, and to deſire that an Enquiry may be made on the Spot into the Truth of it; for which Purpoſe, as Mr. Benn is your Aſſiſtant, the Governor General is of Opinion, that he is a proper Perſon to be employed on this Service.

" You will pleaſe therefore to give the neceſſary Inſtructions to Mr. Benn, and when you have received his Report, tranſmit it to the Governor General for his Information.

" I am, &c.
" Jugdees Serai, (Signed) " St[n] Sulivan, Secry."
18th March 1784.

" P. S. As it is probable that the Officer commanding at Ghazipore may have a counter Repreſentation to make, you will receive herewith a Letter from Captain Bradley to Major Eaton, which you will commit to the Care of Mr. Benn." (*b*)

Read, a further Extract from the ſame Appendix, beginning at Page 790 of the ſame Book.

" To Mr. Francis Fowke.

" Sir, Reſident at Benares.

" I encloſe a Copy of an Arzee which I have received from ſome Merchants of Mirzapore, the Grievances complained of being in Contradiction to the Regulations eſtabliſhed by me in 1781, I deſire that you will ſend for the Naib, and enjoin him to take immediate Meaſures for giving the Petitioners Redreſs; and in theſe, or in any any other Inſtances, if you ſhould find your Injunctions inſufficient to protect the Merchants againſt improper Demands, or vexatious Delays, I deſire that you will ſend a Repreſentation of the Circumſtances to me. (*c*)

" I am, &c.
" Bannaypore, (Signed) " Warren Haſtings."
22d March 1784.

Read from Book 586, already delivered in, the following Extract of a Conſultation of the 15th of March 1786.

(*a*) Vide ſupra Appendix, N° CCLVII. (*b*) Vide Appendix, ibid. (*c*) Vide Appendix, ibid.

" Fort William, 15th March 1786.

Secret Dept. Wedneſday.

" At a Council; Preſent,
The Honourable John Macpherſon Eſquire, Governor General, Preſident;
Lieutenant General Robert Sloper, Commander in Chief;
John Stables, Eſquire,
and
The Honourable Charles Stuart.

" Mr. Secretary Hay.

" Sir,

Mr. Fowke the Secretary, 19th Nov. 1785.

" I received your Letter of the 25th of November, encloſing the Subſtance of a Petition from Babboo Jaggudeo Sing, late Naib of Benares, to the Commander in Chief, ſtating certain Grievances and Acts of Oppreſſion which he complains of as unjuſtly exerciſed towards him, by the preſent Managers of this Zemindary.

" In reſpect to the Firſt Paragraph, where he aſſerts his Innocence, I can make no other Reply thoſe * this, That his Conduct was examined into by the late Governor General, and the Reſult was, Diſmiſſion from his Office. Others might be alſo criminal, but he was the principal Manager; all the other Officers were appointed by him, and could not be guilty without his Connivance.

* Sic in Orig.

" The Caſe of the Duſtuck is as follows:

" When he was Naib, he took Two of the Rajah's Purgunnahs in farm, but under borrowed Names.

" The nominal Farmers were low People, who acted as his Servants. The Farkhutty, or general Releaſe, which he mentions, was nothing more than an Acknowledgement that his Treaſury Account was juſt; that he had accounted for all Sums paid into the Rajah's Treaſury. But a Balance ſtill remained to be paid from the Farms he held under theſe Names, which Balance the preſent Naib has demanded of him, and which he refuſes to pay. (*a*)

" I am, &c.
(Signed)

" Benares,
19th November 1785.

" Fowke Reſt.

(Signed at the End of the Conſultation)

" John Macpherſon.
Cha[s] Stuart."

Read, from Book 579, already delivered in, the following Extract of a Conſultation of the 22d May 1786, beginning at Page 582 of the ſame Book.

" Fort William, the 22d May 1786.

Secret Dept. Monday.

" At a Council; Preſent,
The Honble. John Macpherſon Eſquire, Governor General, Preſident;
Lieutenant General Robert Sloper, Commander in Chief;
John Stables Eſquire,
and
The Honble. Charles Stuart.

" Par. 4. In regard to the Arzee of Baboo Jugger Do-Sing, that Juſtice which he claimed was rendered upon my Arrival, by the Removal of the Peons until ſuch Time as perſonal Inveſtigation might juſtify the Act under me, and from the Proceedings of my Enquiry of Yeſterday, I have Reaſon to think that he will be found anſwerable for the Balance ſtated againſt him for the Two Pergunahs which he under-farmed in the Names of Two low Perſons without Surety, whilſt he himſelf was the aſentiable * Naib, and which, as promptedly † ſtated by my Predeceſſors to the Honble. Board, under Date the 19th November 1785, reſts the Reſponſibility and Deficiency upon him, and conſequently ‡ will not only be releaſed from, ‖ to enable me to act from my own Conviction. (*b*)

* Sic in Orig.
† Sic in Orig.
‡ Sic in Orig.
‖ Sic in Orig.

(Signed at the End of the Letter)

" Ja[s] Grant, Reſt.

(Signed at the End of the Conſultation)

" John Macpherſon,
R[t]. Sloper,
T. Stables,
Cha[s] Stuart."

The Counſel for the Defendant ſtated, That the Managers for the Commons having given in Evidence a Letter of the 2d April 1784 (*c*), written by the Defend-

(*a*) Vide Appendix, N° CCLVIII. (*b*) Vide Appendix, N° CCLIX. (*c*) Vide ſupra, Page 306.

pon the Removal of Jagger Deo Sing, which was ordered by the Board to lie nſideration, they ſhould proceed to give in Evidence the Conſultation upon what was done in conſequence.

from Book 47, already delivered in, the following Extract of a Conſultation oth May 1784, beginning at Page 511 of the ſame Book.

" Fort William, the 20th May 1784.

At a Council; Preſent,
The Honble. Edward Wheler,
John Macpherſon,
and
John Stables,
} Eſquires.

Secret Dept. Thurſday.

The Governor General abſent on a Viſit to the Nabob Vizir.

" Reſolved by the Majority of the Board, That the following Letter be written to the Honble. the Governor General.

" Honourable Sir,

" We have been honoured with your Letter of the 2d of laſt Month in Reſpect to the Zemindary of Benares, and have taken it into our moſt ſerious Conſideration: We have already had the Honour to adviſe you that this was protracted until there ſhould be a full Meeting of the Board, and we hope that no ill Conſequence can have ariſen from the Delay. To the Governor General.

" We ſhall be happy to be made acquainted with your intended Plan for the Reformation of the Country, and make no Doubt that you will keep in View the particular Circumſtances in which this Government is ſituated with Reſpect to Benares. We wiſh as much as poſſible to avoid frequent Changes in the Adminiſtration of the Collections, from the Conſequences which ſuch Changes muſt inevitably produce. We ſhall readily adopt any Checks which you may think likely to be effectual for ſecuring the Happineſs of the People, and equal Collection and regular Payment of the Revenue, without encroaching upon the Rights which have been eſtabliſhed to the Rajah by the Agreement which you made with him in 1781.

" We are much concerned at thoſe Appearances of Oppreſſion which you obſerved in your Progreſs through the Zemindary, and wiſh it may be in the Power of this Government to apply a ſufficient and permanent Remedy. (*a*)

" We have the Honour, &c.
(No Signature)

" Fort William,
Secret Department, 20th May 1784.

(Signed at the End of the Conſultation)
" John Macpherſon,
John Stables."

Read, from the ſame Book, the following Extract of a Conſultation of the 8th June 1784, beginning at Page 631 of the ſame:

" Fort William, the 8th June, 1784.

" At a Council; Preſent,
The Honourable Edward Wheler, Eſquire,
John Macpherſon,
and
John Stables,
} Eſquires.

The Governor General abſent on a Viſit to the Nabob Vizier.

" Read, the following Letter from the Honourable the Governor General.

" Gentlemen,

" In a very long Letter dated 2d April, I repreſented to you the diſtreſſed State of the Province of Benares, and the Miſconduct of the Naib, and the Neceſſity of applying ſome early Meaſures to prevent what I apprehended would be the Conſequence of his Continuance, and the Want of a due Syſtem of Controul. I have not yet been favoured with your Anſwer, and ſuſpect that my Diſappointment in this Inſtance may have ariſen from your Diſapproval of the Offer which I made of my Services for the Eſtabliſhment of a Syſtem for the Adminiſtration of that Province, and perhaps an Unwillingneſs to give my Propoſals a direct and unpleaſant Refuſal. Governor General, 23d May.

To me perſonally, provided an adequate Syſtem is eſtabliſhed, it is of little Conſequence through whom it is effected; but to our Employers, and to the Inhabitants of an extenſive Territory under our Government, it is of great Conſequence that ſome better Syſtem ſhould be eſtabliſhed, and in the Credit of this our Adminiſtration in general is deeply concerned. Independent

(*a*) Vide Appendix, N° CCLX.

of

of the Motives which we muſt poſſeſs in common, for my own Part I have had the ſenſible tification of being an Eye Witneſs of Evils which I could not redreſs, and I have Hopes of a ſuffering People raiſed by the Approach of the ſuperior Member of your Ad tion, whilſt I felt, that inſtead of being able to afford them Relief, I could only ſend th with Diſappointment.

" It is my Duty to repreſent to you again, that ſome Changes ought to be made and that the preſent Naib muſt be removed, and a Syſtem of ſome Controul placed over wh may be determined to ſubſtitute in his Stead, or ſome entire new Mode of Superintendan bliſhed; or that the Loſs of the Revenue, and Diſaffection of the People will be the infallibl ſequence of the preſent Adminiſtration being ſuffered to remain.

" If you ſhall think it improper, for whatever Reaſon, to confide this temporary Charge to me, I muſt ſtill recommend and entreat that you will take the Subject into your Conſideration, and to apply ſuch Meaſures as your Judgment may ſuggeſt, for the Security of the Dominion and Revenue of the Province. I am ſorry that the Temper and Current of the Times compel me to obviate a Concluſion, which may be made one Ground of Objection, by declaring, that I have not the moſt diſtant Idea of removing Mr. Fowke, of diminiſhing his Influence, or of rendering his Situation leſs eligible, by any Plan which I may have in Contemplation. If I have furniſhed an Argument againſt my own Propoſal, by not deſcribing the minute Detail of it, I muſt beg Leave to obſerve, that much of this muſt be formed on the inſtant of Execution, and will depend on the Circumſtances ariſing out of it, and that until I have ſome Encouragement to expect that the General Plan, ſo far as I have determined it in my own Breaſt, will be adopted, I do not know that I have a Right to commit deſerving Men, who may be either named, or too plainly indicated by it, to the Effects of private Vengeance, from thoſe whoſe Intereſts would be affected by the projected Change, in caſe it ſhould not take Place. (*a*)

" Lucknow,
23d May 1784.

" I have the Honour, &c.
(Signed) " Warren Haſtings.

(Signed at the End of the Conſultation)
" John Macpherſon,
John Stables."

Read, from the ſame Book, the following Extract of a Conſultation of the 30th June 1784, beginning at Page 1029 of the ſame:

" Fort William, the 30th June 1784.

Secret Dept. Wedneſday.

" At a Council; Preſent,
The Honble. Edward Wheler, Eſquire,
John Macpherſon, and John Stables, } Eſquires.

The Governor General abſent on a Viſit to the Nabob Vizier.

" Mr. Wheeler begs Leave to put the following Queſtion to the Members of the Board:

" Shall the Plan ſubmitted to us by the Governor General, for the Collection of the Revenues of the Zemindary of Benares, receive the Sanction of this Government?

Mr. Stables's Opinion.

" Mr. Stables.—I do not wiſh to make any Alteration, for the preſent, in the Management of the Zemindary of Benares, the Kiſts having been regularly paid up by the preſent Naib, as we are informed by the Reſident's Letter of the 27th ulto. and no Complaint having been made by the Reſident againſt the Conduct of that Naib.

Mr. Macpherſon's Opinion.

" Mr. Macpherſon.—The preſent Rajah of Benares poſſeſſes, I imagine, a Power from his Sunnud to appoint or diſmiſs his own Naib; but the Rajah is acknowledged, or ſuppoſed to be, incapable of exerciſing a proper Judgment in ſuch Caſes. The preſent Naib was confirmed by this Government in December 1782; and, except in the Appearances of Oppreſſion which the Governor General ſaw on his Route through Benares, and the Complaints then made to him by the Natives, the Members of the Board are uninformed in regard to the Mal-adminiſtration of that Naib. He appears to have paid up the Rajah's Kiſts regularly, nor has the Reſident made any Complaints againſt him.

" The Regulations propoſed by the Governor General are ſtated to be an Expedient, and he pledges his own Reſponſibility for the Succeſs of the Arrangement. In Conſideration of theſe Aſſurances on the Part of the Governor General, and as it appears from his Letter that Ajaib Sing is the Choice of the Rajah and Rance, I ſhall agree to his Appointment, with the Checks which the Governor General propoſes, I mean thoſe of Canongos and Aumeen, which promiſe a Security to the Reiat. There appears to me an Objection to that Part of the Governor General's firſt Propoſition, which declares, 'That the Rajah ſhall not refuſe or delay his Authentication of ſuch 'Papers, &c. or Orders as ſhall be preſented to him by the Naib.' The Influence of ſuch a Regulation might be underſtood, but the Regulation itſelf ſhould not be publicly declared or enforced

(*a*) Vide Appendix, N° CCLXI.

by our Government. I imagine the Naib will always have ſufficient Influence to obtain theſe Sanctions from the Rajah, and the Conſideration, that this Power reſts ultimately in the Rajah, though he may have little Capacity, may be neceſſary for his Protection and Conſequence.

" Mr. Wheler—In my Minute of the 19th of laſt Month, recorded on our Proceedings of the 20th, I delivered my Opinion on the Reply, which I thought proper to be given to the Governor General's Letter of the 2d April, in reſpect to the Condition of the Zemindary of Benares, 'I regretted that the Governor General had not communicated to us the Plan by which he intended to accompliſh the Reformation of the Country, becauſe the Subject would have been then completely before us, and our Reſolutions on it might have been as inſtant as he wiſhed, and I propoſed that the Governor * Governor General ſhould be requeſted to lay before us the whole of his intended Plan, on receiving which we ſhould determine finally on his Letter; and if he ſhould conceive that bad Conſequences to the Company, or a Failure of Revenue might enſue from this Delay in our Reſolution, that we ſhould give our Sanction to the Governor General for the Diſmiſſion of the preſent Naib, and for the Appointment of any Perſon who is an Inhabitant of the Country of Benares, whoſe Qualifications are ſuited to the Charge, who is known and reſpected by the People, and whoſe Truſt ſhall be excluſively confined to the Management of the Zemindary, to ſucceed to the Office now held by the Jugger Deo Sing.' Mr. Wheler's Opinion. * Sic in Orig.

" In the Letter addreſſed by the Board to the Govenor General on the 20th of laſt Month, they expreſſed themſelves as follows:

'We ſhall be happy to be made acquainted with your intended Plan for the Reformation of the Country, and make no doubt that you will keep in view the particular Circumſtances in which this Goverment is ſituated in reſpect to Benares; we wiſh as much as poſſible to avoid frequent Changes in the Adminiſtration of the Collections, from the Conſequences which ſuch Changes muſt inevitably produce; we ſhall readily adopt any Checks which you may think likely to be effectual for ſecuring the Happineſs of the People, and the equal Collection and regular Payment of the Revenue, without encroaching upon the Rights which have been eſtabliſhed to the Raja by the Agreement which you made with him in 1781.'

'We are much concerned at thoſe Appearances of Oppreſſion, which you obſerved in your Progreſs, through the Zemindarry; and wiſh it may be in the Power of this Government to apply a ſufficient and permanent Remedy.'

" The Governor General has now ſubmitted his Plan to our Conſideration; and deſires our early Deciſion on it. The Rajah is repreſented as incapable of the Management of the Zemindary; and the Governor juſtly obſerves, that if he were otherwiſe, we could not, with any Shew of Juſtice, transfer the Management of it from him to any other Perſon. His Incapacity has been long a Subject of our Belief; and it was alſo known to us, that the Rauje was beſtowed on Banboo Mihipnarain in the Year 1781, merely becauſe he was the next lineal Heir to it. I conſider him in the Light of a Minor Zemindar, who has the nominal Charge of a Country by Right of Inheritance; but, as he is not able to manage it, a Dewan or Naib is appointed to manage it for him. The Office of Naib of Benares, was given by the Governor General, in the Year 1781, to Doorbejay Sing, the Father of Rajah Mehipnarain: Doorbejay Sing behaved ill, and was guilty of Oppreſſions; and was therefore removed from the Niabut at the End of 1782. He was ſucceeded by Jagger Deo Sing, but this Man is alſo repreſented to us by the Governor General as oppreſſive; and the Governor General propoſes his Removal from his Office. It is true, that he has diſcharged the Rajah's Kiſts with Regularity; but if the People grieve under his Management, and if the Country is deſolated, no Time ſhould be loſt in removing him; and with him, if poſſible, the Evils that are complained of. And this Opinion I deliver at the ſame time, that I coincide entirely in that of the Board, that we ought to avoid, as much as poſſible, frequent Changes in the Adminiſtration of Revenue Gollections: yet I would not, on this Principle, perſiſt in allowing the Continuance of an Evil reported to us by the firſt Authority, when it is thought ſuch an Evil may be ſtopped, becauſe ſuch Allowance muſt ultimately tend to the Ruin of the Country; and in the preſent Inſtance, of a Country which has, until lately, been eſteemed above every other in India for its Fertility.

" The Governor General's Plan propoſes Checks, which he informs us are 'not ſo much intended for the Security of the Company's Rent, as the faithful Adminiſtration of the Charge held by the Repreſentative of the Rajah, to whom we owe that Attention, while we preclude him from the direct Management and authorize an intermediate Agency * for in his Behalf;' but I ſuppoſe that the Company's Rent cannot be prejudiced by the Plan, ſince the Governor does propoſe a Diminution of it; and there is nothing in the Spirit of the Plan, which I conceive will have that Tendency. It is propoſed as a temporary Expedient, and the Governor declares, that he will be anſwerable for the Effect of it as ſuch. He has the greateſt Reliance on the Wiſdom and Integrity of Ally Ibrahim Cawn: he acquaints us, that the ſame Opinion is univerſally entertained of him. Ajaib Sing, the Perſon recommended to be the Naib in the Room of Jaggerdeo Sing, is repreſented to us by the Governor General to be generally reſpected; and reputed to be well qualified for the Office. We are informed that he is the Raney's Brother, and that he is her Choice, and the Choice of the Rajah. The Allotment to † of the Canongos, of the full Charge of their Offices, ſeems to be very proper, and well calculated for the Happineſs of the People. * Sic in Orig. † Sic in Orig.

" I acquieſce therefore in the Plan, leaving the Reſponſibility for its Effect as a temporary Expedient with the Governor General; but I agree with Mr. Macpherſon to an Exception of that Part

of the Plan which propoſes that the " Rajah ſhall not refuſe or delay his Authentication of ſuch Papers as ſhall be preſented to him." It may be ſuppoſed that this will never happen, but we ought not to preſcribe what may bear even the Conſtruction of an Injury to the Rajah's Rights.

(Signed) " Edwd Whelei."

Reſolution of the Board.

" Reſolved, That the Governor General be authoriſed to carry into Execution the Plan ſubmitted to us in his Letter of the 13th inſtant, the Governor being reſponſible for its Effect as a temporary Expedient, and an Exception being made to that Part of the Firſt Article of it, which propoſes that the Rajah ſhall not refuſe or delay his Authentication of ſuch Papers as ſhall be preſented to him. *(a)*

(Signed at the End of the Conſultation)

" John Macpherſon,
John Stables."

Read, from Book 67, already delivered in, the following Extract of a Conſultation of the 23d of November 1784, beginning at Page 844 of the ſame Book.

" Fort William, the 23d November 1784.

Secret Dept. Tueſday.

" At a Council; Preſent,
The Honourable Warren Haſtings, Eſquire, Governor General, Preſident;
John Macpherſon, and John Stables, } Eſquires.

" Read, the following Letter and Encloſures from the Governor General.

" Gentlemen,

Governor General.

" Some Weeks before my Departure from Lucknow, I iſſued Orders to Mr. Fowke, Ally Ibraham Cawn, and Rajah Meyhipnaram, and Baboo Ajaib Sing, to carry into Execution the Plan which I had formed with your Approbation for the Adminiſtration of the Government and Revenues of this Province; on my Arrival therefore at this Place on the 12th of September, I found that the new Arragements had already taken Effect, that a conſiderable Progreſs had been made in forming the Moſuſſil Settlement, and conſequently that there remained little for me to do, except to receive the Rajah's Kiſtbundee, to confirm by the Sanction of my Authority the Meaſures already adopted, and to give Solidity to the Syſtem of Adminiſtration newly eſtabliſhed, by habituating the Members of it, under my own Inſpection, to the Exerciſe of the Duties of their reſpective Stations; but as the political Negociations impending at Agrah, and the recent Arrangements in the Province of Oude, ſeemed to require my Preſence in this Part of the Country for ſome time longer, I was deſirous of employing the intermediate Period in examining more minutely the State of this Province, and enquiring into the Cauſes, which, independant of the Oppreſſion of its late Ruler, had tended to promote either its Proſperity or Declenſion, and in Proportion as I ſhould decern Circumſtances, having one or other of thoſe Tendencies, it was my Intention to have taken Meaſures for improving or obviating them.

" In the Midſt of theſe Purſuits, the melancholy Intelligence, which I Yeſterday received from Calcutta, impoſes upon me a Neceſſity ſuperior to every other Conſideration of immediately returning to my Place at the Board, and I am obliged to bring my Proceedings here to an abrupt Concluſion.

" I have the Honour to lay before you a Tranſlation of the Kiſtbundee, which was this Day executed by Rajah Meyhipnaram, for the Amount of his annual Tribute to the Company for the preſent Fuſſullee Year 1192. It correſponds with thoſe of former Years in reſpect to the Sum Total; but differs in the Proportions of Kiſts ſtipulated for each Month. In the Kiſtbundee, which was ſettled with me by the Rajah in 1781, a very heavy Payment was reſerved for the latter Months. This was an Indulgence which the Rajah preſſingly ſolicited for that Year; and it was neceſſary, at that particular Time, when the Country was juſt emerged from a State of univerſal Rebellion, and when the Credit and Authority of the new Government were ſtill imperfectly eſtabliſhed, although the Seaſon for collecting the Revenues was far advanced. But it was not underſtood, either by the Rajah or myſelf, that it ſhould be extended, as it has been, to ſubſequent Years. Every one converſant in the Collection of the Revenues, knows, that the monthly Kiſts of the Riots or Cultivators muſt be regulated by the Reſources or the Produce of the Harveſts, and the Aggregate of their Kiſts muſt be the Rule for the proportioning out the Demand in the different Stages of Collection, from the Riots up to the Government. If the Demand anticipates in any great Degree the Reſources, the Renter muſt either fail in his Payments, or have Recourſe to Methods of raiſing Money, that will terminate in the Ruin of himſelf and his Country. In the ſame Manner, if the Demand follows at too great a Diſtance, the Reſources will probably be diſſipated, or the Difficulty of collecting them encreaſed. On theſe Principles

(a) Vide Appendix, N° CCLXII.

I was induced to propoſe an Alteration to the Rajah, which I have the Pleaſure to inform you, he readily agreed to; and the preſent Kiſtbundee is accordingly drawn out on an Inſpection of his own Settlement with the Mofuſſul Aumils and Farmers. *(a)*

(Signed at the End of the Conſultation)

" Warren Haſtings,
John Stables."

Read, from Book 74, the following Extract of the Appendix to a Conſultation of the 24th of Auguſt 1785, beginning at Page 798 of the ſame Book.

" To Mr. Francis Fowke, Reſident at Benares.

" Sir,

" Having received a Letter from the Board, approving of a Plan which I ſome Time ago ſubmitted to them, for the better Management of the Diſtricts of Benares, I think it neceſſary to give you the earlieſt Information thereof; and accordingly, I have the Pleaſure to encloſe a Copy of the Plan itſelf, for your Peruſal and future Guidance.

" I have directed Baboo Ajaib Sing to proceed immediately to Benares; and I ſhall deſire Ally Ibrahim Cawn to follow him in a few Days. I need not point out to you the Neceſſity of keeping ſecret the intended Change of Meaſures, until the Arrival of Baboo Ajaib Sing, when you will immediately proceed to put the ſeveral Perſons, named in the accompanying Plan, in Poſſeſſion of the Offices allotted to them. In the mean Time, if any Thing ſhould tranſpire reſpecting the intended Change, I flatter myſelf that, from being poſſeſſed of full Information, you will be able to take ſuch Meaſures as may prevent any Confuſion, that would otherwiſe ariſe from the Apprehenſions and Miſconceptions it might occaſion.

" Lucnow,
14th July 1784.

" I am, &c.
(Signed) " W. Haſtings."

" Firſt, That the Raja be appointed and declared the Principal in all official Acts of the Zemindary; that he ſhall ſit as often as he ſhall chuſe it, in the Cutcherry; that on ſuch Occaſions all Accounts and Reports, and other official Buſineſs, ſhall receive his Inſpection; and his Name, Seal and Signature ſhall be uſed, for the Authentification of all Orders and Inſtruments, to which, by the Cuſtom of his Predeceſſor, they were uſed to be affixed; but he is neither to conduct the Buſineſs himſelf, nor interfere further in it than may be neceſſary for his Inſtruction.

" Second, That the Baboo Ajaib Sing, the Brother of the Rannu Golâb Coor, the Widow of Rajah Bulwunt Sing, be appointed Naib or Deputy of the Rajah, with the entire Management and Adminiſtration of the Zemindary; and his Approbation in the official Firm Munger, ſhall be added to all Inſtruments to which the Rajah's Signature is affixed.

" Thirdly, That Ally Ibrahim Cawn be appointed Amien or Inſpector, to aſſiſt the Naib with his Advices reſpecting the Formation of the Settlement, the new Appointment of Aumils, and Officers of the Collections, and other important Meaſures relative to the Zemindary, which the Naib ſhall duly report to him for that Purpoſe, and to tranſmit to the Naib the Complaints which ſhall be referred to him by the Canongos, in the Manner ſpecified in the following Article. In all the Inſtances ſpecified, the Ameen is only to adviſe it; the Deciſion is to reſt entirely with the Naib, who, in the Caſes of Complaints, ſhall cauſe an Enquiry to be made into them, by one Perſon appointed by himſelf on the Part of the Rajah, and another by the Ameen, the Judgement to reſt as has been before provided, with the Naib only.

" Fourthly, That the Canongoes of every Pergunnah, and other Diviſion, where by old Cuſtom they have been ſtationed, ſhall have full Charge of their Offices; that they ſhall have Acceſs to all Mofeſſul Papers, and take and keep Copies of them; that they ſhall receive Complaints from the Ryots, and if they ſhall be ill founded, they ſhall endeavour to pacify the Ryots, and diſſuade them from aſſembling and complaining on frivolous Occaſions; but if they ſhall appear well founded, they ſhall refer them to the Aumils; and in caſe the Aumils neglect, or are inattentive, they ſhall tranſmit the ſame to the Aumun, who ſhall refer them for Enquiry as above to the Naib. The Canongoes ſhall ſend abſtract Accounts to the Aumun, who ſhall cauſe them to be regiſtered, and keep them as Accounts of perpetual Record.

" Fifthly, That Mr. Fowke ſhall receive from the Rajah and his Naib the Monthly Payments of the Company's Revenues in Mulcklidar Rupees, and give Receipts for each. The Rajah and his Naib ſhall report to him the Names of ſuch Aumils as they ſhall have choſen for the Management of the Diſtricts.* The Plan formed for the Settlement of the Revenue, and all other Buſineſs of Conſequence relative to the Zemindary. But the Aumils ſhall receive their Appointment and Inveſtiture only from the Rajah and Naib. If any Complaints ſhall be made to Mr. Fowke he ſhall refer them to the Naib, and they ſhall be enquired into and decided in † the 3d Article. When Parties of Sepoys ſhall be wanted for any Occaſion, the Rajah and his Deputy ſhall make Applications to Mr. Fowke in Writing, with the Forms above preſcribed in the Firſt and Second Article; and Mr. Fowke, if he approves of the ſame, ſhall accordingly apply to the Officer commanding either at Chunagur or Buxar, ſpecifying the Services required; and in like

* Sic in Orig.

† Sic in Orig.

(a) Vide Appendix, N° CCLXIII.

Manner

Manner, Applications ſhall be made by the Rajah and his Naib to Mr. Fowke for the Recall of ſuch Parties. For theſe Purpoſes, the commanding Officers of Churnar and Buxar ſhall be ordered to conform literally to his Requiſitions on the Firſt Inſtance, but in emergent Caſes, the Officers commanding detached Parties ſhall receive their Inſtructions from Mr. Fowke, and Mr. Fowke ſhall enter into a Book, in the Order of their Date, Applications made to him, and all official Acts done by him in conſequence, and ſhall tranſmit a Copy of the ſame every Three Months to the Board.

" Sixthly, That the Rajah and his Naib ſhall eſtabliſh a Cutcherry, or Office of Treaſury, for the Amdanny, or current Receipts of Revenue; and Mr. Fowke and the A[illegible] ſhall appoint a Mutſuddie jointly, or One on the Part of each, who ſhall ſit in the ſaid Cutcherry, and keep a ſeparate Copy or Copies of the Accounts of the daily Receipts and Diſburſements. (*a*)

" A True Copy,
(Signed) " P. Bawers."

Read, the following Letter, from the Reſident at Benares, to the Governor General, dated the 5th November 1790.

" To Earl Cornwallis, K. G. Governor General, &c. &c.

" My Lord,

" Meaning to annex the Report on the State of the Collections of Benares, for the Fuſſily Year 1197, (which ended on the 23d of September laſt) as a natural Sequel to that of the firſt Year of the permanent Settlement, the voluminous Papers concerning which are not yet all tranſcribed ſo as to admit of being tranſmitted; I think it however proper to acquaint your Lordſhip, that the full Revenue to which the Honourable Company is entitled, according to the Terms of the Settlement concluded for the Term of the Rajah's Life by the late Governor General, has with due Regularity, and without any Hardſhip or Difficulty been realized, thereby exceeding the Funds which were promiſed for the Year in Queſtion, in my Letter of the 26th of April 1789.

" I have further the Pleaſure to aſſure your Lordſhip, that I experience the heart-felt Satisfaction of believing the Country in general to be in a promiſing Progreſs of Improvement, but as this muſt either in the Affirmative or Negative be ere now Matter of public Notoriety, and being beſides, from its Nature unſuitable for me to enlarge on, I ſhall chearfully truſt to the Reſult of all the other Information your Lordſhip may collect concerning it, and remain

" With Reſpect,
My Lord,
Your Lordſhip's
moſt obedient humble Servant,
(Signed) " J. Duncan,
Reſident."

Benares,
the 5th November 1790.

" Revenue Department.
A True Copy.
" E. W. Barlow,
" Subſa'."

The Counſel for the Defendant deſired Major Oſborne might be called in.

Accordingly MAJOR OSBORNE was called in; and, being ſworn, was examined as follows:

Q. How many Years was you in India?
A. More than Fifteen.

Q. From what Time to what Time?
A. From the Year 1765 to the latter End of the Year 1780; I believe it was the Month of December 1780.

Q. In what Situation was you there?
A. I latterly commanded a Corps in the Service of the Nabob Aſoph ul Dowlah.

Q. Whether, during the Time you reſided in India, you had any Means or Opportunity of knowing the Conduct of Cheit Sing in reſpect to the Company and their Ally the Vizier?
A. I had.

Q. Whether Cheit Sing behaved, during the Time that you had an Opportunity of being Witneſs to his Conduct, as a Perſon attached to the Intereſt of the Company?
A. Directly the reverſe.

Q. Specify the Inſtances, that came within your Knowledge, in which he behaved otherwiſe than as a Perſon attached to the Intereſt of the Eaſt India Company?
A. It was repeatedly repreſented to Cheit Sing, that the Dependants on the Company's Government, Europeans and Natives, who were reduced to the Neceſſity of paſſing themſelves, and their Effects, through his Zemindary, were inſulted, ill-treated, plundered, and many murdered—when I ſpeak of thoſe that were murdered, I mean the Natives who were Dependants upon the Com-

(*a*) Vide Appendix, N° CCLXIV.

pany's Government; and Cheit Sing could not be prevailed upon to puniſh the Offenders, though they were pointed out to him.

Q. Whether you remember any particular Violence of that Sort done to the Corps that was raiſing for yourſelf—to any Recruits raiſing for your own Corps?

A. I certainly do.

Q. State the Inſtance, when it was, and the Circumſtances of that Outrage?

A. By a Return that I received from Major Eaton, who was the Commanding Officer at Buxar, it appeared, that he had ſent off for me a Subadar, or Native Captain—a Jemmadar, or Native Lieutenant—and 200 Recruits, without Muſkets; and it afterwards appeared, by the Proceedings of a Military Court, where the Witneſſes had been examined upon Oath, that theſe People, in paſſing through Cheit Sing's Zemindary, were attacked by the Villagers, and the Subadar, the Captain, was killed; the Jemmadar, the Lieutenant, was knocked down and wounded; and thoſe of the 200 Recruits, who could not make their Eſcape, were either killed or wounded.

The Managers for the Commons objected to the Evidence.

The Witneſs was aſked,

Q. What other Knowledge have you of the Fact of this being done?

A. I certainly did not ſee the Outrage committed. If I had, I might not have been here to have told the Story—but I ſaw the Head of the Officer after it was ſevered from the Body.

Q. (*by a Manager*) Whoſe Head was that the Witneſs ſaw, the Subadar's or Jemmadar's?

A. The Subadar's Head; the other was not killed.

Q. (*by Counſel*) Did many of the Men make their Eſcape to you?

A. Yes, certainly; moſt of them who eſcaped were wounded.

Q. Can you recollect the Time?

A. It was in the Month of Auguſt, I think, in the Year 1778.

Q. Did you make any Complaints upon this Subject to Cheit Sing, or to the Britiſh Government, or to any Perſons competent to redreſs this Injury?

A. I repreſented the Circumſtance, as it was my Duty to do, firſt to the Nabob Aſoph ul Dowlah the Nabob Vizier. As I was inſtructed to do by him, after I had given him Information of the horrid Affair that had happened, I ſent the Proceedings of the Court of Inquiry, which ſat to make particular Inquiry, to the Nabob; and I ſent the Proceedings to the Reſident at the Nabob's Court, who was Mr. Nathaniel Middleton. I ſent either a Copy of the Proceedings of the Court of Inquiry, or the Depoſitions that were taken before the Court, to Cheit Sing, to the Reſident at Benares Mr. Thomas Graham, and I ſent a Copy of the Proceedings, or the Depoſitions, I forget which, to the Governor General Mr. Haſtings.

Q. Whether you know what Steps were taken by Cheit Sing, if any, for the Puniſhment of the Perſons guilty of this Outrage, and for the Prevention of like Outrages in future?

A. I have, I believe, already anſwered the Queſtion, by ſaying—none; he could not be prevailed upon to do ſo. I ſtated, that this was in the Month of Auguſt. I have in my Pocket a Copy of the Letter I wrote to the Governor General. I repreſented other Circumſtances that happened in the Country beſides this. It was the Month of November, I believe, before I could receive any ſatisfactory Anſwer whatever from Cheit Sing—then he informed me, that he had ſent me One of the principal Offenders, and Three others, under an Eſcort.

Q. Do you recollect the Names of them?

A. The Names of the principal People in that horrid Affair, I remember were Sauhul and Ranna.

Q. What Meaſures did the Rajah take in reſpect to them and their Puniſhment?

A. In the Month of November he wrote, that he had ſent me Sauhul, and Three others, who were concerned, as he ſtated, to Illahabad, to be tried and treated according to their Deſerts—he ſent them in Charge of an Eſcort, he ſaid. It was reported to me as a Fact, that as ſoon as they entered the Dominions of the Nabob Vizier Aſoph ul Dowlah, Sauhul made his Eſcape, and his Eſcape was connived at—the other Three People were brought to me; but when I came to enquire into the Part they had taken in this horrid Affair, I found that their only Crime was, that they had given an Aſylum to my wounded Seapoys—of Courſe I releaſed them, and informed the Nabob of what I had done, and he approved very much of my Conduct.

Q. Did you ever afterwards obtain any other more effectual Redreſs for this Outrage and Injury from Rajah Cheit Sing?

A. No, never; the People went on, as I was informed, in their own Courſe of plundering and murdering.

Q. Whether the Police in general of Cheit's Sing's Country was good or bad, well or ill adminiſtered?

A. Certainly it was not well adminiſtered, elſe theſe horrid Acts could not have been committed with Impunity.

Q. Do you know of any other Inſtances?

A. I ſtated to Mr. Haſtings, that the Dawk, the Communication between the Army and the Government of Bengal, was cut off. I ſtated to Mr. Haſtings, that Two European Officers had been treated very ill—One had ſeveral Cuts made at him with a Sword, which he parried off, I underſtood—and another had been ſeverely beat and ill-treated.

Q. Whether Mr. Haſtings received theſe Repreſentations againſt Cheit Sing with any Degree of Partiality and Favour; or whether, if he ſhewed any Partiality and Favour upon the Subject, it was not towards Cheit Sing? How did Mr. Haſtings receive this?

A. I only know by what was communicated to me by his Excellency the Nabob's Vizier and his Miniſters; for I got no Anſwer from Mr. Haſtings to my Letter.

Q. Do you know whether the Police of Cheit Sing's Country was amended or reformed, in Conſequence of any of your Repreſentations?

A. No, it was not; I never heard it was; I never underſtood it was; but the Abuſes were going on.

Q. Do you remember being employed as an Officer, in the Service of the Vizier, againſt one Ajeet Sing?

A. Yes; I commanded the Forces that acted againſt Ajeet Sing.

Q. Who was Ajeet Sing?—what was his Situation?

A. He was the Chief of the Tribe of Boudellars.

Q. Was he at War with the Nabob Vizier in the Year 1779?

A. He and his Tribes had wreſted from the Nabob's Authority, certain Diſtricts, which I was employed in recovering.

Q. Do you know whether Ajeet Sing, at the Time he was engaged in Hoſtilities with the Nabob Vizier, received any active Aſſiſtance from Cheit Sing?

A. After an Engagement I had with the Rajah's Troops, thoſe who were in the Rear of the Line of Battle, reported to me, that they ſaw Numbers of Cheit Sing's Horſe flying away, ſome with their Riders, and ſome without their Riders. In a Redoubt I had ordered to be erected, the People in Charge of thoſe Guns informed me alſo of their flying away. It left no Doubt with me, of their belonging to the Rajah; and I repreſented it to the Rajah, and to the Nabob, and the Reſident at the Nabob's Court.

The Managers for the Commons objected to the Evidence.

Q. By whom was this communicated?—and was it an official Communication at the Time?

A. It was reported to me officially by my Officers at the Time; I had the Misfortune to be wounded; and the firſt Report to me was, when I was ſitting upon the Drum Head.

It being ſtated, that the Effect of the Evidence now given was, that, an Officer commanding a Corps in an Engagement having it reported to him by his ſubordinate Officer, as a Fact, that Part of the Troops with whom he was engaged were the Horſe belonging to the Rajah Cheit Sing, in Conſequence of ſuch Report ſo made to him, made a Repreſentation to the Rajah Cheit Sing—to the Reſident at Cheit Sing's Court—and to the Nabob, and the Government.

The Witneſs ſaid,

There is a Part I wiſh to rectify: I did not ſay, or at leaſt I did not mean to ſay—that I am confident I repreſented it to the Reſident at Benares; but to the Rajah Cheit Sing—to the Nabob and his Miniſter Hyder beg Cawn—and to the Reſident at the Nabob's Court; but I am not certain I did to Mr. Graham.

The Managers for the Commons ſtated, they did not underſtand the Report to have been an official Report, and therefore requeſted the Evidence might be read: The following Queſtions and Anſwers were accordingly read by the Clerk.

'Q. Do you know whether Ajeet Sing, at the Time he was engaged in Hoſtilities with the Nabob 'Vizier, received any active Aſſiſtance from Cheit Sing?

'A. After an Engagement I had with the Rajah's Troops, thoſe who were in the Rear of the 'Line of Battle reported to me, that they ſaw Numbers of Cheit Sing's Horſe flying away; ſome 'with their Riders, and ſome without their Riders. In a Redoubt I had ordered to be erected, the 'People in Charge of thoſe Guns, informed me alſo of their flying away. It left no Doubt with 'me of their belonging to the Rajah; and I repreſented it to the Rajah, and to the Nabob, and to 'the Reſident at the Nabob's Court.

'Q. By whom was this communicated; and was it an official Communication at the Time?

'A. It was reported to me officially by my Officers at the Time; I had the Misfortune to be wounded; and the firſt Report to me was, when I was ſitting upon the Drum Head.

The Witneſs ſaid,

I do not mean to ſay poſitively, that I did not repreſent it to the Reſident at Benares: It is likely I might, but I do not recollect the Circumſtance; it is a long while to recollect.

Q. Did Cheit Sing do any Thing upon this Repreſentation made to him by you?

A. I always thought Cheit Sing a ſhuffling evaſive Character.—I could get no other Anſwer from Cheit Sing otherwiſe than that we were both under the ſame Maſters—engaged in the ſame Service—and that he gave no Countenance to it; and if it had happened, it ſhould not happen again.

Q. Do you know any Inſtance of Cheit Sing's inveigling the Subjects of the Nabob to withdraw themſelves from his Government?

A. The Subjects of the Nabob being generally in Debt to the Sircar have gone into his Country; and I have underſtood and believed, that Cheit Sing, or his Zemindars, inveigled them away: I have, on ſuch Occaſions, applied to Cheit Sing upon the Subject:—Sometimes he has written me Word, that he knew nothing about it.

Q. (*by a Lord*) You made theſe Repreſentations to Cheit Sing?

A. I made thoſe Repreſentations to Cheit Sing—ſometimes he wrote, that he gave no Encouragement—that he knew nothing of the Matter—at other Times he wrote to me to point out who the People were.

Q. (*by Counſel*) Did you ever ſend any Hircarras to Cheit Sing's Country to bring back theſe People?

A. When Cheit Sing has been hardly puſhed and preſſed by myſelf, and the Reſident at Benares, Mr. Thomas Graham, he has ſent an Order, directed to a particular Zemindar at a particular Place, to deliver up ſuch People. Upon thoſe Occaſions, I do not recollect that I ever ſent more than One Aumildar's Party, and One Hircarra or Two: They have, after a certain Time, returned to me, and reported, that at the Place where they have been directed to go, they have found a ſtrong Fort, the Walls of which have been lined with armed Men, who, at their Approach, returned an inſulting Anſwer to myſelf; and the People have reported, that Cheit Sing had appriſed them, that I ſhould ſend ſuch People.

Q. Do you know of Cheit Sing's keeping up any large Body of Troops within his Territories?

The Managers for the Commons deſired the laſt Queſtion and Anſwer might be read.

The ſame were accordingly read by the Clerk.

'Q. (*by Counſel*) Did you ever ſend any Hircarras to Cheit Sing's Country to bring back theſe People?

'A. When Cheit Sing has been hardly puſhed and preſſed by myſelf, and the Reſident at Benares, Mr. Thomas Graham, he has ſent an Order, directed to a particular Zemindar at a particular Place, to deliver up ſuch People. Upon thoſe Occaſions, I do not recollect that I ever ſent more than One Aumildar's Party, and One Hircarra or Two: They have, after a certain Time, returned to me, and reported, that at the Place where they have been directed to go, they have found a ſtrong Fort, the Walls of which have been lined with armed Men, who, at their Approach, returned an inſulting Anſwer to myſelf; and the People have reported, that Cheit Sing had appriſed them that I ſhould ſend ſuch People.'

The Managers for the Commons objected to the Evidence.

Q. (*by a Lord*) Do you know of Cheit Sing's keeping up any Forces?

A. My Anſwer, as I heard it read, was not ſo correct as I gave it. I ſaid the People on the Walls of the Fort menaced the Approach of my People, and returned an inſulting Anſwer to myſelf.

Q. Was that Anſwer brought back to you by the People whom you ſent upon that Buſineſs?

A. When the Report was made to me by the Aumildar who commanded the Party, and the Hircarrah, I examined every Man of the Party—had them perſonally before me.

Q. And what was the Report ~~you~~ ſo received?

A. That was the Report I ſo received from the People I examined; and I examined them all.

Q. (*by a Lord.*) You were aſked, Whether Cheit Sing kept up any Forces in his Country?

A. Yes; I underſtood that he did; and I ſent People to ſee them, who returned to me, and reported, that in one Place in particular, they ſaw what they conceived to be 10,000 Horſe. I confeſs, I did not give Credit to that Number. It is very difficult to aſcertain the Number of an Army where there are no Returns made. That was the Report made to me; but I did not credit there was ſuch a Number.

The Managers for the Commons ſubmitted, whether the above was admiſſible Evidence.

The

The Managers for the Commons were informed, That if they heard any Queſtion aſked, or perceived any Evidence about to be given, which in their Apprehenſion was not legal Evidence, they ſhould object to it: And being aſked, whether the Form of their preſent Objection, if any, was not—That an Officer commanding a Corps, and ſending out his ſubordinate Officers upon the Buſineſs of the Corps, cannot give in Evidence the Report made to him by thoſe ſubordinate Officers?—acquainted the Houſe, that was not the Objection they made. And being heard to ſtate their Objections, and the Counſel for the Defendant being heard in Anſwer to the ſame,

The following Queſtion was put to the Witneſs:

Q. (*by a Lord*) Whether, in the Field, you have your Reports made to you in Writing, or verbally?

A. The Report that I had made to me, relative to the Number of Horſe I underſtood Cheit Sing had, in the interior Parts of his Country, was not made in Writing to me; it was made to me verbally by Hircarras.

Q. (*by a Manager*) What is an Hircarra?

A. A Spy; and this was the head Hircarra I had.

Q. (*by a Lord*) They were Perſons ſent out in the Courſe of your Military Service?

A. Yes; and employed expreſsly for the Purpoſe.

The Managers for the Commons objected to the Evidence.

Q. Whether, from the Whole of what you obſerved during your Reſidence in Cheit Sing's Country, and the Information you was able to collect, you could form a Judgment whether Cheit Sing was meditating to withdraw himſelf from his Allegiance to the Company, and eſtabliſh his own Independence?

The Queſtion was objected to by the Managers for the Commons.

Q. What have you obſerved in the Conduct of Cheit Sing, that indicated a Diſpoſition in Cheit Sing to ſubvert the Authority of the Eaſt India Company, and to erect his own Independence upon it?

A. I only ſpeak from his Conduct in the Engagement I had with Adjeet Sing, as it was officially reported to me. I have no Doubt in my own Mind, that at that Time he had conſiderable Bodies of Troops in the Country, which he could not want for his Collections; and the Hircars I ſent out reported to me that his Forts were well garriſoned.

Q. (*by a Lord*) What Knowledge have you of the Military Force that Cheit Sing kept up in his Country?

A. I cannot ſpeak as to Numbers; I can only ſpeak to the Reports made to me, as the Commanding Officer in that Part of the Nabob's Dominions where I was—it was reported in the Country, which made me very particular in my Inquiries, that the 10,000 Horſe, ſaid to be encamped ſomewhere in the interior Parts of Cheit Sing's Country, were deſigned to be employed againſt my Corps.

The Counſel for the Defendant were informed, That what the Witneſs obſerved in the Conduct of Cheit Sing upon the Occaſion, was Evidence; but not the general Report of the Country.

Q. Do you know whether it is uſual in Hindoſtan, for Perſons ſtanding in the Relation, in which the Nabob ſtood with reſpect to Cheit Sing, before the Ceſſion of Benares to us, or in which the Company afterwards ſtood, to demand Military Aids, or to receive Aſſiſtance of Troops and Money in Time of War. Do you know in what Relation Cheit Sing ſtood?

A. Before he was tributary to the Company, he was tributary to the Nabob.

Q. Is it uſual in the Country of Hindoſtan, for Sovereigns to demand from their Zemindars military Aſſiſtance in Time of War in Troops or Money?

A. I never knew it otherwiſe, and I have known where it has been ſo.

Q. State any Inſtance where it has been ſo, particularly with Regard to the Nabob of Oude?

A. Do you mean the general Uſage?

Q. Yes.

A. There was a Rajah of the Name of Purtnea Sing, who held Land in the Country of the Maha Rajah Ajeet Sing, whom I before ſtated to be the Chief of the Boudellars. This Man, Purtnea Sing, was in the Service of Omrad Sing, the Chief of the Bundellas; the Rajah Purtnea Sing told me he had been ſummoned from Bundelcund to come and ſerve in the Army with Ajeet Sing, againſt the Forces of Suja Dowla, in conſequence of the Tenure he held in Bundelcund.

Q. Do

Q. Do you know whether Cheit Sing himſelf, prior to the Territory being ceded to the Company, ever afforded any Aſſiſtance in Time of War to Sujah Dowla?

A. I was reſident at Gauzepore, the Capital of the Diſtrict of that Name, in Cheit Sing's Country, in the Years 1773 and 1774. I think it was the latter End of the Year 1773, or early in the Year 1774, I was informed by Cheit Sing's Civil Officers, who were at the Town of Gauzepore, that the Horſe which had been quartered there in the Pay of Cheit Sing, were gone to Sujah Dowla.

The Managers for the Commons objected to the Evidence.

Q. (*by a Lord*) Had you any Knowledge of this?

A. Of the above Circumſtance?—I did not ſee the Horſe march, but I believe they went to Sujah Dowla.

The Managers for the Commons objected to the Evidence.

The Witneſs ſaid,

A. I ſaw Tribes of Hindoos, with their Chiefs, encamped near Gauzepore;—at that particular Time I enquired where they were going? and they informed me they were going to Cheit Sing, to receive his Inſtructions about joining Sujah Dowla.

Objected to by the Managers for the Commons.

The Counſel for the Defendant being heard in anſwer to the Objection,

The Witneſs was aſked,

Q. (*by a Lord.*) Do you know whether this was done in conſequence of the Relation in which this Tributary ſtood to his ſuperior Lord, or in conſequence of any particular Engagement?

A. I always underſtood it was an uſual Thing for a Sovereign, when he was at War with another Power, to call upon his Zemindary for Aſſiſtance.

Q. But with regard to this particular Inſtance, whether theſe Troops were moving at the Requiſition of a Sovereign Power, or not, you have no Knowledge?

A. I can only ſpeak from what I underſtood; I underſtood it was at the Command of Sujah Dowla to Cheit Sing, and that Cheit Sing had ordered his Zemindars to aſſemble with Troops.

Q. (*by a Lord.*) You collected that from Converſation?

A. I did.

The Counſel for the Defendant were informed, that it was no Evidence.

Q. Whether you know, of your own Knowledge, of any actual Aſſiſtance furniſhed to Sujah Dowla in Time of War?

A. I certainly did not ſee the Horſe march, but I believe the Fact, that they marched to join Sujah Dowla, as much as I believe any Fact I did not ſee with my own Eyes.

Q. Did you ſee them drawn out in a State of Preparation for that Service?

Q. No; I did not. I was going to add that of the People I ſaw in the Camp of Gauzepore, it is ſo long ago as 1773 or 1774—One of the Zemindars who commanded a Tribe paid me a Viſit on his Return from Cheit Sing, and he told me, he and his People had remained with the Rajah Cheit Sing during the Abſence of his Troops in his immediate Pay, and who had gone to Sujah Dowla.—I recollect while I was at Gauzepore, if I confound not one Time with another, for there were Three Times, Cheit Sing called upon his Zemindars to come with their Troops, and ſuch Bodies as they could command, to his Aſſiſtance.

Q. (*by a Lord*) You have no Knowledge of that of your own?

A. No, I have not.

The Counſel for the Defendant ſtated, That if the above was not admiſſible Evidence, they waived any further Queſtion on the Subject.

Q. Have you had an Opportunity of obſerving the Condition of other Countries in India, in point of Agriculture, Police, and Population, as compared with thoſe under the Authority of the Company?

A. Yes.—What is the Time you allude to?

Q. During the Period of Mr. Haſtings's Government?

A. It would be difficult for me to point out, where there was any Police in any Country with an Exception of the Company's Dominions, any Thing fit to be called a Police.

Q. Were theſe Objects well attended to by thoſe who had the immediate Management of the Country, under the Adminiſtration of Mr. Haſtings?

A. With an Exception of Parts of the Bahar Province, particularly the Diſtrict of Boogepore, Juſtice appeared to me to be duly adminiſtered; and the Country ſeemed to me to be in a very

flouriſhing State, and was conſiderably improved, with an Exception to thoſe Parts, conſiderably improved at the Time alluded to.

Q. Were they generally well adminiſtered?

A. At the Time alluded to, during Mr. Haſtings's Government, I certainly do think they were in every Part of the Company's Dominions, with that Exception.

Q. Whether you obſerved any conſiderable Improvement in thoſe reſpects during the Government of Mr. Haſtings, compared with the Situation in which thoſe Countries had been prior to his Government?

A. In every Part of the Company's Dominions, that I had an Opportunity of ſeeing, before Mr. Haſtings's Government, and during the Time of his Government (with the Exception of Parts of the Bahar Province, and particularly that Part I have already mentioned) certainly the Country was conſiderably improved under the Government of Mr. Haſtings.

Q. In what Eſtimation was Mr. Haſtings held by the Natives of the Country during all the Time you reſided there?

A. I believe the People in general thought very favourably of Mr. Haſtings, both in his public and private Character; and I recollect perfectly well to have heard Rajah Cheit Sing and his Dewan, Ouſan Sing (early in the Year 1773, which was before the Zemindary was ceded to the Engliſh Company) ſpeak of Mr. Haſtings as a Man in their Opinion of great uncommon Abilities, and well calculated for the Government of India; and I have heard many of the Natives of India ſpeak of Mr. Haſtings to the ſame Effect.

Q. Was that the general Eſtimation in which Mr. Haſtings was held during the whole Period of his Government?

A. I believe Mr. Haſtings was held in high Eſtimation by the Generality of the People, the Natives of the Country.

A. It has been ſtated, that he was guilty of a Series of Acts of Injuſtice, Inhumanity, Oppreſſion, Violence, and Bloodſhed—whether during the Time you reſided in India, any Thing came to your Knowledge which made you think Mr. Haſtings was unjuſt, inhuman, oppreſſive, violent, or ſanguinary?

A. Directly the contrary.

Q. (*Croſs examined.*) Upon what Duty was you employed in the Country of Benares when you was there?

A. I was firſt in that Country in the Time of the Rajah Bulwant Sing; I then commanded a Subaltern's Party, at a Place called Chonſer, on the Confluence of the River Carumnaſſa and the Ganges; a Place deemed of Importance, being the Key to Sujah Dowlah's Dominions; this was in the Year 1770—I believe the Year that Bulwant Sing died.

Q. The Queſtion is, as to the Year 1778; when you ſpeak to Cheit Sing's Miſconduct, and to the Circumſtance of his keeping a great Body of Horſe; what was your Duty and Miſſion at that Time, in the Benares Country?

A. I believe I have already ſaid, in Anſwer to a Queſtion put by the Counſel for Mr. Haſtings, that I was in the Nabob's Country at that Time;—in the Service of the Nabob.

Q. Then, was you at all, during the Period of which you ſpeak, or at any other Period, in the Rajah Cheit Sing's Country, called the Gauzepore Country, or Benares?

A. I was frequently upon the Banks of the River Taunſe, which divides that Zemindary from the Nabob's Dominions.

Q. Then you never paſſed the Boundaries, or was actually in Cheit Sing's Country, during the Period ſpoken of?

A. I certainly was, or I could not have got to the Nabob's Country.

Q. Whether you was reſident, and in what Character and Function in the Country of Benares, during that Period?

A. I was in the Service of the Nabob Aſoph ul Dowlah, employed with my Corps, and had full Employment without running into Cheit Sing's Country.

Q. Was you in the Country of Benares, during that Period?

A. I was at Benares; I left Calcutta to go up to the Nabob, and paſſed through Cheit Sing's Country to go to the Nabob.

Q. Did you know it only as a Paſſenger?—Did you ſay you never did reſide in that Country?

A. Not that Year; I was reſident in the Country before.

Q. What was the Nature of the Military Service in which you was employed upon that River, which borders ſo nearly upon the Rajah of Benares Territories?

A. I was employed in reclaiming the Rebels, to the Sircar, to the Nabob and his Government, of Two Diſtricts; and in recovering to his Juriſdiction other Diſtricts which he had been

been deprived of by the Boudellas and Bundellas; I have the Nabob's Orders in my Pocket.

Q. Then you was not in the Company's Service, but in the Service of the Nabob Aſoph ul Dowlah?

A. No; I was not in the Company's Service, I was in the Service of the Nabob Aſoph ul Dowlah, by the Permiſſion of the Britiſh Company in India, and I was in the Habit of thinking their Intereſts were one and the ſame.

Q. When you were in that Country, what Military Service was you in that made you ſend Hircarras into the interior Country to diſcover the Number of Horſe kept up by the Rajah Cheit Sing;—whether you had any Orders from the Nabob, or the Company ſo to do?

A. It was the Report of the Country that the Troops encamped in Cheit Sing's Country, which, I before mentioned were reported to have been 10,000 Horſe, were deſigned to act againſt the Corps under my Command, in the Nabob's Country; and I thought it was high Time to enquire into their Motions and Deſtination, and to prepare for their Reception.

Q. Whether you had any Orders from the Nabob, or the Company, to make that Enquiry?

A. I frequently repreſented to the Nabob, that I did not believe that Cheit Sing felt himſelf intereſted in the Government of this Country; in his Country, when I heard of ſuch a Force being collected, I knew Cheit Sing could not want ſuch a Force for the Buſineſs of his Collections, and I ſent People purpoſely to enquire what was the Force; to get what Information they could, and to give it me upon their Return?

Q. Who told you firſt that that Force was collected, which you ſent Hircarras to enquire into?

A. It was the Report of the Country, that there was ſuch a Force; 10,000 Men fill a great Space in the Eye of a Country; in order to be ſatisfied, I ſent People in whom I had a Confidence, and whom I could truſt, and they confirmed the Report I had heard.

Q. In what Part of the Country were they collected?

A. The Name of the Place I cannot tell; they were encamped, but they ſhifted their Encampment; but the firſt Information I had of them was, when they were within a Day's March of Chunargur near the Bundelcund Road upon the High Delhi Road.

Q. Did the Hircarras give you an Account of any of the ſpecific Places where this Army was aſſembled?

A. They certainly did; but it is a conſiderable Time for me to recollect any particular Place and Name, ſuch an out of the Way Name as it was: Hindoſtanny Names were all familiar to me at the Time, but I cannot recollect the Place; and I ſaid they uſed to ſhift from one Place to another. There was a Name mentioned when I firſt heard it, but I cannot recollect the Name.

Q. Have you any Note or Memorandum, written at the Time that you made the Report of the Hircarras?

A. I was in Hopes if they came I ſhould have made a very good Report of them.

Q. Have you any Memorandum in Writing of the Report which the Hircarras made to you?

A. No; I may have, but really I cannot ſay that I have.

Q. As you ſay you could probably have given a good Account of the 10,000 Horſe, if they attacked you, what Force had you under your Command at that Time?

A. I had the Command of 1000 Infantry; or 1500 Infantry at that Time; they were formed into Two Battalions; a complete Company of Artillery, and ſome Horſe, but what was the Number I forget: I make no doubt, if they had come I ſhould have done my beſt: My Corps had defeated a much larger Number of Ajeet Sing's Army, and I hoped to have been ſucceſsful againſt Cheit Sing then, if he had come.

Q. What were the Numbers of Ajeet Sing's Army?

A. I ſhould be ſorry to declare, upon my Oath, what the Number of an Hindoſtanny Army is; there are no Returns made. A Man will come in and report he has brought 4,000 or 5,000 with him, in order to ingratiate himſelf with the Chief, whereas he may not have brought more than 2,000. So what we hear of Armies of 100,000 or 200,000 Men, is not above one half true.

Q. What was the direct Report of the Hircarras relative to that Body of Horſe?

A. The direct Report of my Hircarras was, that there were 10,000 or thereabouts, and it was ſaid in their Buzar, the Market that attends them to ſupply Proviſion, that they were deſigned to act againſt my Corps: That was the Report I had previouſly heard in the Country, before I ſent off my Hircarrahs.

Q. Did

Q. Did you believe the Report of the Hircarrah, of the Numbers of the Rajah's Horſe, and their Deſtination ?

A. I cannot ſay I did, I had ſometimes my Doubts :—from the Rajah's Conduct before, I did not doubt but he was hoſtile to the Intereſt of the Nabob.

Q. Whether, upon the formidable Appearance of a Body of 10,000 Horſe, deſigned againſt your Corps, you gave Notice of it to the Reſident of Benares ?

A. I don't recollect that I did. I was under the immediate Orders of the Nabob, and I certainly communicated to the Nabob; what I underſtood and what I heard; but to the Reſident I don't know. I had made a great many Complaints againſt Cheit Sing, but it anſwered no Purpoſe. When I complained to the Nabob of Cheit Sing's Conduct, his Anſwer was, he is not a Dependant of mine now, he is a Dependant of the Company, what am I to do?—I repreſented a Caſe to the Board, reſpecting the Subadar and the Recruits.

Q. Then you never made any Repreſentation of this Appearance of the Horſe, and of their Deſtination, to the Britiſh Reſident at Benares ?

A. I don't recollect that I did; I might have done it poſſibly: The Right Honble. Managers may have ſome Letters. I am ſure I mean to give a very fair Evidence. It is ſuch a Diſtance of Time I do not recollect.

Q. Whether you gave any Notice of it to Mr. Haſtings, as Governor General ?

A. No. My Correſpondence was with the Nabob principally.

Q. If you thought it an Army collected by Cheit Sing, whom you declare you believe to have had evil Intentions towards the Britiſh Government, would you not have thought it your Duty to repreſent it to the Britiſh Government, or to the Reſident ?

A. I did inform the Reſident at the Nabob's Court of it; I believe I might have let the Britiſh Reſident at Benares know it, but I don't know whether I did or not; but the Nabob, whom it was my Duty to inform of every Circumſtance of the Kind, I certainly informed of it.

Q. Do you mean to ſay, that you informed the Britiſh Reſident at the Nabob's Court of it ?

A. Yes, I did, but not at that particular Time.

Q. Whether or no, you can charge your Recollection with having written an Account of this to the Britiſh Reſident at Oude ?

A. I cannot; I certainly was at Lucknow for a few Days ſome little Time after, and I remember very well mentioning it there; and I have ſome remote Recollection of having mentioned it in ſome of my Correſpondence, but I cannot be certain. I was tired out in making Complaints, and I had made up my Mind how to act.

Q. Do you recollect the ſpecific Time of the aſſembling of this Body of Horſe ?

A. I knew they were there from Report early in the Beginning of 1780, or in the latter End of 1779, and as long as till June 1780, when the Rains ſet it.

Q. Then it was not in the Year 1778 ?

A. I did not ſtate it ſo, I hope. I ſtated it was in the latter End of the Year 1779 or in 1780, as long as till June when the Rains ſet in ?

Q. Then, you are poſitive that this Event did not happen in the Year 1778, but the latter End of 1779, ſo late as nearly to touch 1780 ?

A. I am confident of it.

Q. Then, as you made no Remonſtrance to the Britiſh Reſident at Benares, nor are ſure that you made any to the Reſident at Oude, did you make any Repreſentation to Cheit Sing himſelf ?

A. I have ſome Recollection of Writing to Cheit Sing himſelf about it.

Q. When ?

A. In the Year 1780. I remember a Couple of Hircarras I ſent out to be more ſatisfied; I deſired theſe two, after they had made their Obſervation, to go with a Letter to Rannagur, to Cheit Sing.

Q. Do you recollect the Hircarra's Name ?

A. I ſhould know the Man's Face again if I were to ſee him here, but I don't recollect his Name at this Diſtance of Time ?

Q. Have you kept any Copy of the Letter ?

A. I don't know that I have a Copy of it, and I don't know that I have not; the Copies of Letters that were written to the Rajah and to other People of the Country were written in Perſian; a Copy of thoſe were kept in the Dufter, but ſtill I think I poſſeſſed myſelf of all the Copies out of the Dufter, or moſt of them, before I left the Nabob's Service, and very likely I did of that; but I never could have ſuppoſed I ſhould have been called upon for theſe Facts.

Q. By the Dufter, do you mean your own Dufter?
A. I do not mean my own, but the Dufter kept by the Officer of the Sircar; I mean the Office of that particular Diſtrict.

Q. And there you left the Copies of your Correſpondence?
A. I really cannot ſay that; it is poſſible I did, and that I did not. I poſſeſſed many Copies, ſome I brought to Calcutta, ſome I left there, and ſome I brought to England. I don't know what became of a Paper of that Kind.

Q. Whether you have the Copies of any of the Letters which you wrote to Cheit Sing, complaining of the Miſconduct towards Officers and Soldiers under your Command?
A. It is very likely that I have; in my own Mind I am perſuaded I have—but I am ſure I ſhould be very ſorry to depoſe to that, to a Certainty.

Q. You ſaid you received ſome Anſwers from Cheit Sing, which you did not conceive ſatisfactory—have you thoſe Anſwers?
A. I make no Doubt I may have ſome of thoſe Anſwers too.

Q. Whether or no, you wrote at any Time, and when, to Mr. Haſtings, on Account of the alarming Conduct you obſerved in the Subjects of Cheit Sing, and his refuſing or declining to do Juſtice upon the Offenders?
A. I made the Firſt Repreſentation to Mr. Haſtings. I have a Copy of the Letter I wrote; if I may be permitted, I will read it.

Then the Witneſs produced a Paper, and read the ſame as follows:

"COPY.

"Sir,

"The Paper that I have the Honour to encloſe you, contains the Subſtance of ſeveral Depoſitions, which, permit me to requeſt you will conſider. To ſuch a Pitch of Inſolence have the Villagers arrived, on the Benares Road, that Travellers are afraid to paſs. Many have been the Murders committed of late. The Cawnpore Dawk was cut off early in the Month, in which was a Letter addreſſed to you from the Nabob. As a Duplicate may not have been tranſmitted, I beg Leave to accompany this with a Copy. Two European Officers have been ill treated by the People; one of them had ſeveral Cuts made at him, and the Servants of both are dangerouſly wounded. I have tranſmitted the ſame Account to the Nabob, Mr. Middleton, Cheyt Sing, and Mr. Graham.

"Allahabad,
31ſt Auguſt 1778.

"I have the Honour, &c.
(Signed) "John Oſborne."

"To the Honble. Warren Haſtings Eſquire.

Q. What Anſwer did Mr. Haſtings make to that?
A. I think I have ſaid already, that I received none from Mr. Haſtings.

Q. When this Inquiry was made concerning thoſe Miſdemeanours, who made it?
A. Upon the Arrival of the Jemmadar, who, as I before ſtated, was knocked down, and my wounded Recruits, in order to be ſatisfied of the Jemmadar's Conduct, as he had eſcaped, I wiſhed to know if he had behaved properly; and to ſatisfy myſelf of every particular Circumſtance of the Tranſaction, I ordered a Court of Inquiry, compoſed of the Officers of my Corps, to ſit on the Conduct of the Jemmadar, and I particularly directed that the Witneſſes that were examined, might give their Evidence upon Oath, which they did; and according to the uſual Cuſtom of that Country, of having an Oath adminiſtered, it was adminiſtered by a Brahmin.

Q. Of what Officers was that Court of Inquiry compoſed?
A. Of Subadars, native Captains, and Jemmadars, Lieutenants.

Q. Was there no European Officer in the Compoſition of that Court Martial, or Court of Inquiry?
A. No European Officer; it was an Inquiry ſitting upon a Native, and of courſe it was compoſed of Natives. But I ordered a Serjeant Major to attend, and write down the Proceedings in Engliſh, as they were tranſlated by the Preſident of the Court; a Moonſhee.

Q. Do you remember the European?
A. It was a Serjeant Major; I had Five of them, and really I cannot recollect which it was. I always, on a Court Martial, or on a Court of Inquiry, had one of thoſe Men to attend.

Q. Whether the Perſons complained of appeared at that Court?
A. I ſhould have been very glad to have got them; but I could not get them; that was my very Requeſt to Cheit Sing, to deliver them up.

Q. Did

Q. Did you ſpecify to Cheit Sing the Perſons you demanded to be delivered up?
A. I did.

Q. Who were they?
A. Saul and Renna, two principal Zemindars, who I underſtood were the Principals in the Murder of my People.

Q. Were they delivered up to you?
A. I have ſtated, I believe, that they were not delivered up to me. I have ſtated, that the Rajah, in conſequence of the Interference of the Board, ſo late as the Month of November, informed me he had ſent, under the Charge of an Eſcort, One of theſe People, whoſe Name was Saul, and Three poor innocent Creatures, whoſe only Crime was, they had afforded an Aſylum to my wounded Seapoys.

Q. Whether the Two Perſons demanded were not amongſt thoſe who came?
A. I have ſaid already, I received none but theſe Three People—One of their Names was mentioned. There were Four People: Saul was One, whom the Rajah informed me he had ſent, and Three totally innocent Men—their only Crime was, that they afforded an Aſylum to the wounded Men.

Q. What Evidence had you of the Guilt of Saul?
A. I had the Evidence of ſome People of the Country afterwards, peaceably diſpoſed People—they were not all Murderers, though there were enough of them. I had the Evidence of ſome few of them, at leaſt the Court had. I never attended the Court of Inquiry; I never ſaw it; they made their Report to me. There were the Evidence of ſome few of thoſe People, and of ſome who had eſcaped.

Q. Whether the People ſent to you were the ſpecific Perſons you demanded?
A. I received none but the Three that I mentioned.

Queſtion repeated.

A. Saul was One that I demanded; and after repeated Letters, and that ſuch a Time had elapſed as from Auguſt to the latter End of November, the Rajah informed me, he had ſent Saul and Three others, whoſe Names, I believe, he did not ſpecify—they were the Three innocent Men, and if I had known how humanely they had behaved, I certainly ſhould have demanded them, to have rewarded them.

Q. Have you the Letters you wrote to Cheit Sing, and his Anſwer, or Copies of them?
A. I do not know that I have; I took particular Care of ſome Engliſh Letters I received from the Reſidents, One from Mr. Graham, and One from the Reſident at Lucknow.

Q. Whether the Rajah delivered up Saul to you?
A. He did not deliver up Saul to me. I wiſh I could have got him.

Q. Did the Rajah ſend him; Aye or No?
A. I have ſtated that he informed me he had ſent Saul, with Three other Men; but as ſoon as theſe People arrived in the Nabob's Country, Saul was allowed to make his Eſcape.

Q. How do you know that Saul was allowed to make his Eſcape?
A. I have ſaid it was ſo reported to me to have been the general Opinion. I believed it at the Time. I cannot poſſibly ſay what might have been their Inſtructions; I only ſpeak from Belief, that he had given private Inſtructions that this Man ſhould be allowed to make his Eſcape. There was Evidence enough to prove the Guilt of that Man. The others proved innocent. I repreſented the Caſe to the Nabob. I hold in my Hand a Letter from the Reſident Mr. Middleton, expreſſive of the Nabob's Sentiments upon the Occaſion.

Q. Was it in Cheit Sing's Country, or in the Nabob's Country, that the Eſcape took place?
A. I believe I have repeatedly ſaid; as ſoon as they arrived in the Nabob's Country. I am ſure I mean to give a very fair Evidence. I may be puzzled as well as any other Man; but I mean well.

Q. What Meaſures did you take to recover Saul in the Nabob's Country, after he made his Eſcape?
A. At the Time, I was told he had made his Eſcape, juſt coming into the Nabob's Country; they halted with the Men within a few Coſs of Illahabad; they then might have arrived that very Night; but he made his Eſcape in the Courſe of the Day. I ſuppoſe he did not come into the Nabob's Country, as he might be taken there; it is moſt likely he returned again into Cheit Sing's Country.

Q. What Meaſures did you take to regain him in Cheit Sing's Country?
A. I did what I thought was my Duty. I repreſented the Caſe to the Nabob and to Mr. Middleton; not that I thought it a Matter of Duty to repreſent it to Mr. Middleton. I was Servant to the Nabob; but I thought that the moſt likely Means to obtain Redreſs.

Q. Whether

Q. Whether you repreſented this negligent Eſcape to Cheit Sing, Aye or No?

A. Undoubtedly, I repreſented it to Cheit Sing: I hope it has not been underſtood, that I ſaid I did not mention it to Cheit Sing; certainly I did; but I ſaid it was my immediate Duty to repreſent it to the Nabob, and I did repreſent it to the Nabob.

Q. (*by a Lord*) The Queſtion is, whether you remember the Circumſtance of having repreſented it to Cheit Sing?

A. I do; I repreſented it to the Reſident Mr. Graham, and to Cheit Sing: I repreſented that Circumſtance to the Reſident Mr. Graham, at his Court, and to Cheit Sing: I repreſented it firſt, as it was my Duty, to the Nabob; I believe, there could not have been the Difference of many Hours.

Q. The Queſtion is, whether you repreſented the negligent Eſcape, to Cheit Sing?
A. I did.

Q. And to the Reſident?
A. I did.

Q. Then, as you repreſented it to thoſe Perſons, what Meaſures did you take with the Perſons who were guilty of that wilful or negligent Eſcape?

A. What could I do with the Company's Subjects, for they were People belonging to Cheit Sing's Country; what was I to do with them, when I was in the Nabob's Dominions?

Q. Did not the Eſcort come into the Nabob's Territories?

A. It is not uſual, I believe, when a Commanding Officer receives an Eſcort, to take the Eſcort, and impriſon and confine them. I returned them to Cheit Sing.

Q. If you had convicted Saul, would you have thought proper to have puniſhed him?

A. I ſhould not have hanged him; he would have deſerved to be hanged, but I ſhould have left that to the Civil Power.

Q. How would you have puniſhed him?

A. I ſhould not have tried him; I ſhould have repreſented it to the Nabob; I mean that Man, Saul—but as to the other Three, I ſhould have releaſed them, as I did.

Q. Upon what Evidence did you releaſe theſe Three Men?

A. Upon the Evidence, they had not been guilty; that they deſerved Reward rather than Puniſhment; and the Nabob approved of what they had done.

Q. Upon what Evidence?

A. Upon the Evidence of my People who had benefited by them;—thoſe who ſurvived and returned;—there were enough who returned to acknowledge their Gratitude for the Protection they had received from theſe Three Men.

Q. Then, is it to be underſtood that theſe Men were Three of the Country People, who had no Share in theſe Diſorders, but were kind and benevolent to your Soldiers?

A. They were.

Q. Whether in any of the Repreſentations made upon that Subject, that Kindneſs and Benevolence of the Country People ever was mentioned?

A. It certainly was, with all the Juſtice that was due to the People. I have read a Copy of my Letter to Mr. Haſtings, in which I did not repreſent it to him; but I have ſaid I did not write to Mr. Haſtings; but I did to the Nabob.

Q. Was it to Cheit Sing?

A. Certainly to Cheit Sing.—I could not have let ſuch a Circumſtance eſcape me.

Q. Does the Letter exiſt?

A. I do not know.

Q. Whether you know it does?

A. It may or may not;—If it does, it is in the Perſian Language.

Q. Did you correſpond with the Reſident, in the Perſian Language?

A. No.

Q. Did you write an Account of the good Behaviour of that Part of the People to the Reſident?

A. Theſe Three Men no Doubt I mentioned in the favourable Terms they deſerved: That I did to Cheit Sing I perfectly remember, becauſe I ſtated his Perfidy, in having ſent theſe Three innocent Men when he ſhould have ſent the guilty.

Q. Do you think Saul was innocent?

A. I do not think he was, becauſe I had every convincing Proof from Teſtimony taken upon Oath that he was guilty.

Q. Have

Q. Have you that Teſtimony?

A. I ſpeak of the Proceedings of the Court of Enquiry. It is likely that theſe Proceedings, or Copies of them, were laid before the Governor General and Council. If I had the Proceedings they could be only a mere Copy, for I think I muſt have ſent the real Proceedings to the Nabob.

Q. Whether any Perſon was preſent on the Part of Cheit Sing, upon any of the Occaſions, when theſe Affidavits were taken?

A. I inſtituted a Court of Enquiry to ſatisfy me of every Particular, and to ſit immediately.

Q. Whether any Perſons, on the Part of the accuſed Party, either of Cheit Sing, or of the Zemindars ſuppoſed to be guilty of theſe Offences, were ſummoned to the Court of Inquiry; and whether they came?

A. I wiſhed very much to have had them, but I could not get them.

Q. Whether they were there, or not?

A. They were not: Some came voluntarily in: Thoſe, I found, had aſſiſted the wounded who gave Evidence, which explained the horrid Act that had taken place.

Q. Whether the Perſons againſt whom you inſtituted this Enquiry, had any Opportunity whatever to attend this Buſineſs?

A. An Opportunity they had; if they had been innocent they would have come; thoſe that were innocent did come.

Q. Whether the Court of Enquiry was held within the Territories to which they were amenable, or out of it?

A. It was held within my own Juriſdiction, and was compoſed of all the Officers of my Corps.

Q. Whether or no, any of the Perſons who were ſuppoſed to be guilty of theſe Outrages or Offences were ſummoned to appear, either by themſelves or by their Vakeels, or to ſend any Perſons on their Part to aſſiſt at the Enquiry made into their Conduct?

A. For a Time thoſe People abſconded: I did not know where they were gone; I could not look after their lurking Holes; I might as well have looked after the lurking Holes of the Mongooze.

Q. Had they Notice?

A. They had none from me. I wiſhed Cheit Sing to have found them out: They could not have Notice from me; I could not tell where to look for a Set of Cut Throats.

Q. In what Town, Village, or Place was the Court of Enquiry held?

A. In my Cantonments at Illahabad.

Q. How far is it from the Reſidence of thoſe Zemindars, thoſe Cut Throats?

A. The Banditti of Cheit Sing?

Q. The Banditti of Cheit Sing?

A. The Affray happened—this horrid Act happened, as it was ſtated to me, and as the Proceedings of the Court of Enquiry ſtate it, about 14 Coſs from Illahabad.

Q. Whether or no, you have ever heard that Soldiers marching through that Country, who had been inſulted, did ever, upon any Occaſion, give any Provocation for it?

A. I know that I did not underſtand that my People gave any Provocation.

Q. (*by a Lord*) Whether in general, Soldiers that march through the Country might not give Provocation?

A. Except in the Caſe of a few Officers, I have not ſtated that Soldiers have been inſulted in that Manner; but I never heard of their giving any Provocation for ill Treatment.

Q. No Soldiers in the Pay of the Nabob, or in the Pay of Great Britain, ever had given any Provocation whatever to the People of the Country to inſult them?

A. If the Queſtion is confined to the People of the Country, no: I have always underſtood the greateſt Diſcipline was obſerved.

Q. Were theſe Soldiers, Recruits?

A. They certainly were; I wiſh they had been Soldiers; they had no Muſkets.

Q. Whether your Anſwer relative to Diſcipline, was applicable always to Recruits as well as to Troops?

A. The Recruits had no military Diſcipline; but I underſtood they conducted themſelves in a very proper orderly Manner, and were well attended to by their Officers.

Q. Whether you never heard of the Miſbehaviour of Troops paſſing through that Country?

A. No; I do not recollect that I ever heard of Miſconduct imputed to the Troops in the Britiſh Pay paſſing through the Country.

Q. Have

Q. Have you ſpecifically heard there was any Complaint againſt thoſe under the immediate Command of Major Eaton?

A. I never did.

Q. Whether you have heard of any Enquiry in conſequence of ſuppoſed Complaints upon the Subject?

A. I never did.

Q. Whether you ever heard of any Complaints concerning the Conduct of Native Troops under Britiſh Officers in any Part of thoſe Countries; the Nabob's Country?

A. Yes, I heard that the Mahar Rajah Adjeet Sing, had complained of myſelf and Corps, for having defeated him and taken his Forts.

Q. Did you ever hear of any other?

A. Yes; I heard that a Man of the Name of Iſmael Beg, who had aſſiſted in throwing a Country into great Confuſion, complained that he had not an Opportunity of reſuming his Authority again in it.

Q. Did not the Nabob complain of you ſpecifically? Did he receive Complaints againſt you and your Corps ſpecifically?

A. I have no Objection to anſwer; I am not afraid to meet that Queſtion; I have in my Pocket every Order I received from the Nabob for my Party, from under the Nabob's own Hand Writing; Perſian Papers. I have the Teſtimony of the Nabob's warmeſt Approbation of what had been my Conduct. I have a Receipt from the Nabob for every Claim on Account of the Revenues of the Country committed to my Care; a Receipt in full when I left him; and I have a Copy of favourable Teſtimony of my Conduct to the Governor General at the Time I left his Service. On theſe Grounds, I am not afraid to meet the Production of any Evidence.

Q. Whether you have not heard much Complaint of the Britiſh Officers and the Corps under your Command in the Nabob's Dominions where you ſerved?

A. No, I do not recollect; I was always in the Field, with an Exception: Altogether I am ſure I was not away from the Troops for Five Weeks, and I was at a conſiderable Diſtance from other Troops having Britiſh Commanders.

Q. Whether you have not heard of ſtrong Complaints againſt yourſelf?

A. I never did hear directly or indirectly, officially or privately, that the Nabob ever preferred a Complaint againſt me to the Governor General and Council; I did hear that Ajeet Sing complained to the Governor General that I had defeated his Army and taken his Forts, and he complained as every Man does who is conquered.

Q. Do you ſay you never did hear of any Complaint in that Country to the Nabob of your Conduct?

A. I have already ſtated there was committed to me the Charge of Two Diſtricts that were in open Rebellion: that a Man of the Name of Iſmael Beg, by his Miſconduct in thoſe Diſtricts, and the natural Diſpoſition of the Zemindars to revolt, had thrown the Diſtricts into the Confuſion I have ſtated. When I reſtored Peace to the Country, and it began to be in a very fine flouriſhing Situation, this Man complained that I was in Poſſeſſion of what he wanted to reſume; but here are the Nabob's Orders for my taking Poſſeſſion of thoſe Diſtricts.

Q. Whether there were not Complaints againſt you?

A. I never heard of any other Complaint than what I ſtated. I hold in my Hand what I conſider to be very honourable Teſtimony of myſelf, of the Nabob's Approbation of the Whole of my Conduct.

Q. Whether the Nabob did not decline to accept of your Services?

A. I don't know what he declined, I know he did accept them, and he had them.

Queſtion repeated.

A. Here are the Nabob's Orders, and he was highly ſatisfied with what I did. Here is Teſtimony upon Teſtimony.

The Queſtion was repeated.

A. I don't know what he declined to do, and what I may have heard. I cannot ſay what he declined to do.

Q. (*by a Lord*) Did you ever hear of the Nabob's having declined your Service to any Body?

A. Not after I was with the Nabob; I never did.

Q. Did you before?

A. I recollect having given in a Plan to the Governor General and Council, requeſting they would recommend it to the Nabob for Adoption: It was to command a Body of Troops in his Country; I ſhewed it to all the Members of Adminiſtration, and Mr. Haſtings I remember particularly

ticularly ſaid, it appeared to him to be a Plan of great Utility, and promiſed great Advantages to the Nabob's Government, and upon that Principle he ſhould give his Voice in Council for its being recommended to the Nabob for Adoption; and if the Nabob ſhould think proper to adopt it, then I ſhould be permitted to proceed to the Nabob, and put myſelf under his Orders.

Q. Your Employment was not an original Suggeſtion of the Nabob's?
A. No: It was an original Suggeſtion of my own.

Q. To whom?
A. I cannot ſay whether I firſt ſuggeſted a Wiſh to Mr. Haſtings, to be employed in the Nabob's Service, or to General Clavering—I believe it was to General Clavering that I ſuggeſted it;—he wiſhed I ſhould be employed in the Nabob's Service, and he told me he would certainly recommend I might be appointed to a Command of Cavalry—I think it was to General Clavering: I begged his Intereſt that I might be employed in the Service of the Nabob; he told me he was diſpoſed that I ſhould command a Regiment of Cavalry in the Service of the Nabob Azoph ul Dowlah; but as One muſt be raiſed, and the Nabob's Finances were ſo very low, he could not move in Council that I ſhould be recommended for ſuch a Command, becauſe the Nabob was then ſhort of One Regiment of what it was originally deſigned his Army ſhould conſiſt of. A Regiment could not be raiſed upon Account of his Finances being ſo low.

Q. Then, General Clavering declined it?
A. No; for till the Moment of his Death he ſhewed a favourable Diſpoſition to ſerve me, and when I could not be ſerved in that Way, he ſaid, he had in Contemplation to employ me upon an Embaſſy to the Court of the Nabob Nudjeef Cawn.

Q. Whether the Nabob has or has not declined your Service?
A. I never heard that the Nabob had any Objection to myſelf.

Q. Or that he declined it?
A. This Plan that was propoſed to him, I recollect from Report, that he had not thought proper to adopt in the firſt Inſtance, but did afterwards.

Q. Did he ever decline your Service perſonally?
A. He never told me ſo.

Q. Did you ever hear it?
A. No.

Then the Houſe adjourned to the Chamber of Parliament.

Die Martis, 15° *Maij* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant they might proceed with their Evidence.

Then Major Oſborne was again called in.

Then the Managers for the Commons deſired the laſt Queſtion and the Anſwer of Major Oſborne might be read.

The Clerk read as follows:

'Q. Whether the Nabob has or has not declined your Service?
'A. I never heard that he had an Objection to myſelf.

'Q. Or that he declined it?' (*a*)

Then the following Queſtion was put to the Witneſs:

Q. (*by Managers*). Do you mean to perſevere in that Anſwer?

A. Before I anſwer any Queſtion, I intreat Permiſſion that I may correct a *ſmall, but I hope* immaterial, Part of my Evidence, the Day that I attended here laſt. It has reſpect to the Eſcort that I ſaid, and as I verily believed at the Time, had come from Cheit Sing, with the three innocent Men to Allahabad. Since I appeared here laſt, I naturally have had reference to Papers that I wrote at the Time that my Evidence related to—and from thoſe Papers I am now enabled to recollect perfectly, that I gave Cheit Sing Credit for an Eſcort which he did not ſend. It muſt be in the Recollection of the Court, that I ſtated, that upon the Arrival of the four Men, Saul and the three innocent Men, at a Place in the Nabob's Country, immediately upon coming in to it, the Name of the Place then I did not recollect, but now I do; it is named Phoolpore—Saul there eſcaped.—The Eſcort which Cheit Sing had ſent to guard four People were two Village Hircarras, or properly Duſtucks. There is a Difference between the Village Hircarras, or Duſtucks, and the Hircarras that attend Commanding Officers in Camp; it is not uſual for them to carry any Arms, they are Spies. The Duſtuck, or Village Hircarra, carries a Matchlock Piece, and other Arms, and his Duty is to guard a Village—to go with Meſſages from Village to Village—and alſo to eſcort Robbers and Plunderers, and thoſe Sort of People—two of theſe Kind of People Cheit Sing ſent to guard four Men. At Phoolpore, the Cutwall, who was an Officer belonging to the Nabob, and had nothing to do with the Eſcort, hearing that Saul, one of the Principals in the Murder of my People, had eſcaped, and the Inſufficiency of ſuch a Guard, ſaid, "I will give ſome People to go to Allahabad with the three Men who are remaining," believing theſe three innocent Men of courſe to have been guilty. When I gave my Evidence, a Letter that I had received from Cheit Sing with theſe three People, mentioning that he had ſent a Parra, which means a Guard or Eſcort, forcibly ſtruck my Recollection, as the ſame People who had come in with the white Jammas and Swords, and I gave Cheit Sing Credit for this Eſcort, which, in fact, belonged to the Cutwall of Phoolpore, who was the Nabob's Officer. It is diſagreeable to be obliged to rectify my Evidence, but I ſhould have thought I had acted very wickedly, when it came to my Knowledge, if I had not.

Q. Whether you have that Letter to which you allude?

A. I have been enabled to recollect more than what I immediately wrote of the Conduct of the Gutwall of Phoolpore ſending in a Guard. I remember all perfectly well—But what has very much aſſiſted my Recollection, is a Letter that I wrote to Mr. Middleton, the Reſident at the Court of the Nabob Aſoph-ul-Dowlah, and I wrote that Letter for the expreſs Purpoſe, that he might ſend the Particulars of what I then complained of to the Board. That very Letter poſſibly may have been upon the Proceedings. I have here an Extract of my Letter.

Then the Witneſs produced a Paper indorſed, "To Middleton, on the Subject of Saul's Eſcape. Extract. Phoolpore, where Saul was ſuffered to make his Eſcape." And read from the ſame as follows:

"In conſequence of a Reſolution which the Board came to of directing Cheit Sing to bring to condign Puniſhment the People who murdered my Soubadar, and mangled the Recruits, the

(*a*) See the other Queſtions and Anſwers at the Concluſion of the laſt Day, ſupra Page 1678.

Perſon

Perſon who actually ſtruck the Soubadar's Head off, was taken by the Raja's Officers about a Fortnight ago; and before I left Allahabad, he was directed to be ſent to me, with three others, accuſed by the Raja of having been concerned in this Murder. It was certainly the Intention that the Principal ſhould make his Eſcape as ſoon as they entered the Nabob's Dominions. Only two Hircarras attended the Priſoners."

Then the Witneſs ſaid:

I recollect it perfectly well, it is fourteen Years ago, and my Memory was refreſhed when I read that Part.

Then the Witneſs continued to read:

" And at Phoolpore, in the Province of Allahabad, by the wilful Neglect, as it appears to me, of the Hircarras, the Murderer did eſcape. The three poor Creatures, who had accompanied him ſo far, were afterwards brought to Allahabad, and I deſigned * that they were diſcovered * as innocent Victims; they were among thoſe very few who had given an Aſylum † to the wounded Men. I repreſented to the Raja the Miſtake that he had committed, and the Particulars of Saul's Eſcape; and deſired that he would again ſecure him. By a Letter that I have juſt received from him, he ſeems inclined to lay the Blame on the Cutwall of Phoolpore, but only himſelf and his People have been culpable. I intreat that you will be ſo good as to lay theſe Particulars before the Board, and I ſhall hope for the Continuance of your Support in obtaining Juſtice for the horrid Act of Violence committed on my People. The Country about Hondy is entirely laid waſte; that Town, and ſeveral others in the Jaghier of the Navob Cawn Allum are burnt to Aſhes ſince we left Allahabad."

* Sic in Orig.

† Sic in Orig.

Then the Witneſs ſaid,

Now I wrote this Letter for the expreſs Purpoſe of Mr. Middleton's tranſmitting the Particulars to the Board. I believe the Right Honourable Manager will find, if he has my Letter, that this is a juſt and true Extract of it. It was written in the Month of November 1778. I have ſeveral other Papers, and have aſſiſted my Recollection from them, here a Scrap and there another.

Q. Have you any Objection to laying that Letter before the Court, the Whole of it?

A. None. I will bring it. The Reſt relates to a Serjeant. I then had my Warrant for holding Courts Martial. He had behaved ill. I was under the Neceſſity of puniſhing him.

Q. *(By a Lord.)* You have no Objection to ſhew the Letter?

A. None. I never practiſed any hidden Myſteries.

Q. Whether you have any Objection to produce to the Court the Letter which Cheit Sing wrote to you, and to which you allude in that Letter?

A. I have been looking and looking in every Place where I thought to have found it—I have been ſo unfortunate as to loſe all Cheit Sing's Letters but one, and that alludes to a Complaint that I made againſt one of his Jemmadars—I cannot find them—I wiſh I could.

Q. Whether in that Letter Cheit Sing did not lay the Fault of the Eſcape of Saul upon the Nabob's Cutwall?

A. The Cutwall of Phoolpore had nothing to do with the Safety of theſe Men.

Q. Whether Cheit Sing did not impute the Blame to the Cutwall?

A. He did. I always found Cheit Sing a ſhuffling Character; if I had been there, very likely he would have imputed his Eſcape to me.

Q. What Reaſon have you to know that Saul, who made his Eſcape, was more guilty than the other Three, except that he made his Eſcape?

A. From the Evidence that was taken on Oath before the Court of Enquiry; but I beg Leave to refer to the Depoſitions that were taken on Oath before the Court of Enquiry, or to the Proceedings; for I have learned that they ſtand upon Record, and very likely are in the Poſſeſſion of the Right Honourable Manager, which will explain the Matter fully to the Court. I am ſpeaking upon a Recollection of Fourteen Years paſt; but what ſtands there is true, and whatever I wrote at the Time was true; I never in my Life attempted to impoſe upon any Man or Body of Men whatever.

Q. Whether the Matter of the Depoſition charging Saul ſpecifically had been in your Hands previous to the Court of Enquiry, or Saul's being ſent to you?

A. I muſt have influenced the Court, if I had: I would not have done it for the World.—I ordered a Court of Enquiry for the expreſs Purpoſe of enquiring into every Particular, and to be ſatisfied about the Conduct of the Jemmadar; they were taken upon Oath. There were two Zemindars, Saul and Renna, two, not one, and one of theſe Men beheaded, I do not know how many Men—From what I then learned, whether it appears in the Depoſitions that were taken before the Court of Enquiry, or whether I had it from other Evidence, and People that I examined, I don't recollect; but Saul appeared to have been the very Man who ſtruck off the Head

of the Soubadar; but I believe the Right Hon. Manager has the Depoſitions,—I believe they are in Court. I have heard ſince that they were in Court the other Day, and I beg leave to refer to them.

Then the Managers for the Commons deſired the laſt Queſtion might be read.

The ſame was accordingly read by the Clerk as follows:

'Q. Whether the Matter of the Depoſition charging Saul ſpecifically had been in your Hands previous to the Court of Enquiry, or to Saul's being ſent to you?'

Then the Witneſs ſaid:

I had taken no Depoſitions previouſly—I had heard, no doubt, from the Report of my People, that Saul was the Man that had done ſo and ſo, and cut off the Head of the Soubadar; and that Renna was the other Man; and I remember the Villagers now perfectly well; but why ſhould I tell this, when the Right Honourable Manager has the Book about which he is interrogating me? It is not uſual, at leaſt it is not with us in India, to take Depoſitions before a Court of Enquiry on Oath, or before General Courts Martial; but this was ſo particular a Matter, I wiſhed to ſupply the Nabob with the Evidence againſt theſe People, and to ſatisfy Cheit Sing that theſe People had been guilty.

Q. And therefore you directed the Court of Enquiry to take the Depoſitions upon Oath?
A. I did.—The Court was a very regular Court; it made it more ſolemn.

Q. Whether, beſides the Report of the People, you had any ſpecific Depoſition on Oath, or Information of any Kind againſt Saul?
A. The Report of my People and the Country was, that Saul had committed this Murder; and in Proof of it, they brought me this Man's Head.—I could not have had a more convincing Proof.

Q. Whether, when you had the Knowledge of what paſſed with you for ſufficient Information that Saul was the Perſon who had committed the Murder, you deſired Saul ſpecifically to be delivered up to you by Cheit Sing?
A. I did, Saul and Renna. They were the two Men mentioned particularly by me. I anſwered the Queſtion on a former Day.

Q. Whether you have the Letter, or a Copy of the Letter, which you wrote to Cheit Sing, making this Requiſition for this Man ſpecifically?
A. I have ſaid already, that I can find only one Letter from Raja Cheit Sing. That Letter I have now in my Pocket, but it is not upon this Subject.

Q. *(By a Lord.)* The Queſtion now put to you is, Whether you have any Copy of the Letter which you wrote to Cheit Sing, to demand Renna and Saul?
A. I really cannot ſay that I have. It is very likely that I have; and it is likely that I have not. I cannot ſay that I have; and I am ſure I ſhould not know where to look for it. I have a great many Perſian Papers that would engage the Attention of the Court a very conſiderable Time indeed to hear read.

Then the Managers for the Commons deſired the Queſtion and Anſwer firſt read by the Clerk this Day might be again read. The ſame were accordingly read by the Clerk, as follows:

'Q. Whether the Nabob has or has not declined your Service?'
'A. I never heard that he had an Objection to myſelf.'
'Q. Or that he declined it (*a*)?'

Then the firſt Queſtion put to the Witneſs this Day was read by the Clerk, as follows:

'Q. Do you mean to perſevere in that Anſwer?'
A. Moſt undoubtedly. The Nabob never objected, to my Knowledge, to myſelf: And it would be an extraordinary Circumſtance if he had; for I brought a Letter to Mr. Haſtings from the Nabob but a few Months before, wherein he expreſſes an Intention of aſking the Permiſſion of Government, that I might engage in his Service at a future Time.

Q. *(By a Lord.)* A few Months before what Time?
A. A few Months before the Time alluded to, I believe, by the Right Honourable Manager of the Report, that the Nabob had refuſed a Plan that I ſuggeſted.

Q. Can you recollect the Time that you are now ſpeaking of?
A. It muſt have been in the Year 1778.

Q. What Time in the Year 1778 was it that you went to the Nabob?

(*a*) Vide Note (*a*) ſupra, Page 1679.

A. I received a Letter from the Secretary of the Board, Mr. Auriol, informing me, that the Nabob had thought proper to accede to my Plan, and that I was permitted to proceed to him on the 1ſt of June; I think it was 1778.

Q. Was that the Time you did in fact proceed to him?
A. Yes, I ſet off a Day or two after.

Q. *(By Managers.)* Whether you have heard at any Time either before or after the 1ſt of June 1778, a Report of the Nabob's declining your Service?
A. No; only that he had excuſed or given Reaſons why he could not adopt a Plan that I had propoſed; and then only, that he could not adopt it for a certain Time.

Q. Do you recollect what that Plan was?
A. I can tell in general Terms, that it was a Plan for the Protection and Defence of the Dewaub; but the Plan muſt be in the Poſſeſſion of the Honourable Managers. It is a Plan that will ſpeak for itſelf, and, I believe, do me no Diſcredit. I wiſh it was read.

Q. Whether it was not a Part of that Plan, that you was to be employed in executing it?
A. I was to be employed in executing the Whole of it.

Q. Whether your Share in executing the Plan was a Part of the Plan itſelf—do you remember that?
A. Yes; at the Time I was in hopes of having the Command of the Forces:—Undoubtedly it was; I was not making a Plan for another Man.

Q. The Queſtion is, Whether it was a ſtated Part of the Plan? Whether the Plan was conceived, in ſhort, with your Name to it, as the Perſon to execute it?
A. Yes; undoubtedly I meant it for that Purpoſe: But the Plan is in the Poſſeſſion of the Right Honourable Manager; it is a great many Years ago; I could not tell every Thing in that Plan, nor about the Plan: I may have changed my Opinion about it. I gave in a Plan, which I thought promiſed great Advantages at that Time; and I believe the Governor General and Council thought ſo, for they were, I believe, unanimous in its Recommendation.

Q. Whether you did not reiterate your Solicitation to Mr. Haſtings, to remove the Nabob's Objections to you, and to receive you into his Service?
A. I dare ſay I did. I was always aſſiduous in what I thought to be for the Service of the Public; and therein I meant to do Honour and Reputation to myſelf. I recollect writing a Letter to the Board after that, and making Uſe of freſh Arguments.

Q. Whether the Plan firſt given in by you to the Board was the only Plan given in by you?
A. I wrote a Letter accompanying that Plan, I recollect, but what was the Date of it I really do not know.—I do not know whether I might not propoſe ſomething further or ſomething leſs.—I really cannot, nor will I upon my Oath venture to declare what I did at that Time. The Plan the Right Honourable Manager has got; and he muſt have this other Letter, with the Amendment, or whatever it was.

Q. Do you remember having formed any Plan for the Nabob's Service, except that one you now refer to, together with the Letter that accompanied it?
A. No; I do not, any that ever I gave in to the Board. I formed a Plan before with the Approbation of General Clavering, but that never was given in.

Q. Whether you have any Copy of the Letter accompanying the Plan?
A. I have not got the Copy in my Pocket, becauſe I know it is a very long Letter; but I make no Doubt I have got the Copy, and will bring it if I have got it.

Q. Whether you were, or were not, employed in the Collection of the Nabob's Revenues in the Country of the Dewaub?
A. No.

Q. In no Part of the Collections?
A. If the Right Honourable Manager will ſpecify where he means?

Q. In the Country of the Dewaub?
A. No.

Q. In any Part of the Nabob's Country?
A. Yes, I was.

Q. Whether the Nabob did, or did not, remove you from that Collection and Command?
A. No; the Nabob did not remove me from that Collection and Command, but at the Suggeſtion of the Governor General and Council, and for this—the Pay to my Corps and Troops was ſix Months in arrear; I could not get my Pay from the Nabob; I addreſſed the Governor General and Council, requeſting their Interceſſion to obtain my ſix Months Pay in arrears; they wrote to the Nabob, as the Nabob informed me himſelf—he ſent me, I think, the Letter—"As your Treaſury is ſo low that you cannot pay your Troops," or to that Effect, "if,

" if you can do without his Services, why, you had better pay them and reduce the Corps; you cannot pay them properly and ſupport them." I had no Objection to it. I thought it was high Time to quit, as I could not be paid—but the Nabob never diſmiſſed me. I believe I might have ſtaid with him till this Time. I have in my Pocket, if I may be allowed to produce them, Teſtimony upon Teſtimony of the Nabob's great Regard for me; and the laſt Moment that I was with him, he gave me a Letter expreſſive of his Senſe of my Services and Conduct to the Governor General and Council, when I took Leave of him at the laſt Moment; and I remember one Part particularly he ſays, or to this Effect, " My Regard for the Major is equal to that which you have expreſſed for him." And they certainly recommended me in a very proper Manner when they recommended me to his Service.

Q. Whether you have ever heard that the Nabob had made to Mr. Haſtings a Complaint againſt you of Oppreſſion upon his Subjects?

A. I never did hear it; and if I had heard it, I ſhould have known it to have been falſe, for I did not oppreſs his Subjects.

Q. Did you not hear that the Nabob had charged you with committing Depredations and Rapines within Iſmael Beg's Juriſdiction?

A. No.

Q. You never heard it?

A. No. I will beg Leave to explain this whole Matter.—Here is an Extract of a Letter that was delivered to me by Mr. Purling, that he received from Mr. Middleton the Reſident at the Court of the Nabob, who was his Predeceſſor in Office at that Court. By this it appears very clear, that the particular Services required of me by the Nabob, and which he employed me upon, and for which I have his Orders, and Orders which I never did think derogatory to the Honour of a Sovereign Prince to give, or incompatible with my own Character as a Soldier and an Engliſhman to have executed.—The Orders that I received, appear by Mr. Middleton's Letter to his Succeſſor, Mr. Purling, to have been tranſmitted to the Governor General and Council; therefore the Right Honourable Manager, as I ſuppoſe, is in poſſeſſion of them; but I will read the Extract of the Letter from Mr. Middleton to Mr. Purling.

Then the Witneſs produced a Paper, indorſed, " Extract of a Letter from Mr. Middleton to Mr. Purling, on his delivering over Charge of his Office—explaining the Services that I had been employed upon, and having Reference to a Letter written by him to me, which ſhould have been dated the 20th of February 1779;" and read as follows:

" Extract of a Letter from Mr. Middleton to Mr. Purling.

" Mr. Purling,

" Major Oſborne has for ſome Time paſt been employed on a Service of Importance to the Vizier's Government acroſs the Jumna. The Deſign of his Expedition you will clearly underſtand from my Letters to him under Date the 20th February 1779, and to the Honourable Board of the 5th of March following."

Then the Witneſs ſaid:

That Year I was employed in two Diſtricts belonging to Allahabad, and which had been in the immediate Renting of Iſmael Beg, the Perſon alluded to; and that I had the Nabob's Orders for acting in thoſe Diſtricts; and for every Thing that I did I have the Nabob's own Orders here to produce, and his Approbation of the Whole of my Conduct.

Then the Witneſs proceeded to read from the Paper as follows:

" He has made ſome conſiderable Progreſs in the Recovery of the Nabob's Dominion in that Neighbourhood, and was proſecuting the Service with great Vigour and moſt promiſing Appearances of Succeſs, when his Operations were ſtopped by Letters from the Honourable the Governor General.—I have Reaſon to ſuppoſe the Governor's prohibitory Mediation was obtained by ſome Miſrepreſentations from Raja Ajeet Sing, who has been uniform in his Oppoſition to Major Oſborne's Proceedings, and by unprovoked Acts of Hoſtility compelled the Major to conſider and treat him as an open Enemy to the Vizier's Government.—Major Oſborne has ſubmitted to the Governor General a full, and, I believe, an impartial Narrative of his whole Proceedings from the Commencement of his Campaign, which, I apprehend, will be ſatisfactory, and induce the Governor to withdraw the Reſtriction he before impoſed.—That being done, the Nabob will, I doubt not, readily yield his Aſſent to Major Oſborne's proſecuting the Service againſt Ajeet Sing, as he ſeems well appriſed of the Advantages which may accrue to his Government from it, and was induced to ſtop it by no other Motive than a due Deference to the Governor's Deſires.—I am myſelf of opinion, that the Expedition may be productive of conſiderable Advantages to the Nabob, if Major Oſborne is properly ſupported in his Meaſures."

Then

Then the Witneſs ſaid:

Here I was ſtopped, and when I could do no other Service, I did not want to remain there a Penſioner upon the Nabob; but when I was ſtopped, then there was no Pay: So I went on for Six Months, no Pay: And I repreſented this Circumſtance to the Governor General and Council; and as a Reward for my Services, the Governor General was pleaſed to recommend, with his Council, I ſuppoſe, to the Nabob, " Well, if your Treaſury is ſo low that you cannot pay, you had better reduce your Corps:" But I was not reduced.—Immediately after this, Overtures were made to me by the Miniſter, provided I would ſcramble for my Pay.—" No; I can ſerve you no longer with Honour and Reputation, and I will quit you;" and I did it; and it will be ſeen upon the Proceedings what the Nabob ſaid.

Q. Then you did know that ſuch a Charge was made againſt you of Miſconduct in your Office or Command?

A. Not by the Nabob.—The Right Honourable Gentleman may be charged by the Mob or People of Miſconduct; but I ſhould not believe it upon hearing them ſay it; and I hope the Right Honourable Gentleman has Charity enough not to believe ſuch a Thing of me.

Q. Did not that Letter give an Account that Mr. Haſtings had received ſome Charge againſt you?

A. Mr. Haſtings never did, directly or indirectly, communicate to me any Charge whatever that he had received againſt me, unleſs in the Caſe that I mentioned the other Day of Ajeet Sing; the Man called out that I had defeated his Army and taken all his Forts, and Mr. Haſtings writes a Letter to me upon this; and he writes to the Nabob; and I anſwered it. I wrote to Mr. Haſtings, that I had nothing to ſay about the Buſineſs, it was my Duty to perform the Orders of my Sovereign, the Nabob; and I ſent Mr. Haſtings the Nabob's Orders for what I had done, and left Mr. Haſtings and the Nabob to ſettle that Buſineſs; it was nothing to me.—Here is what the Nabob ſays of the Country alluded to.

Then the Witneſs produced ſeveral Papers, and read as follows:

" The Arzee Diſpatches received a Peruſal, and the Circumſtances of the Battle, Fight, and Defeat of Ajeet Sing, with the Victory and Conqueſt of that high in Eſteem, alſo his receiving a Wound in his Side, becauſe particularly known. With the Bravery, Courage, Valour, and Conduct of that high in Eſteem, I was highly pleaſed and delighted. Thouſands and thouſands of Praiſes!"

Then the Witneſs ſaid:

I have read a enough to ſhew he approved of me—all are to the ſame Effect; and he ſent me his own Phyſician, when thoſe about his Court were extremely ill.—He approved of my Conduct to the laſt Moment.

Q. Whether or not you did not underſtand that Mr. Haſtings had received Complaints againſt you?

A. I did not, except in the Caſe I have mentioned of Ajeet Sing; and I have told what the Complaint was.—How infamous muſt I appear in the Eyes of this Gentleman if I ſhould tell the Court ſo, when he muſt know otherwiſe.

Q. Whether you had any Converſation with Mr. Haſtings, in any Interview, as to the Nabob's Complaints againſt you?

A. I wiſh the Queſtion to be confined to ſome particular Point of Time, or ſome particular Conduct, for I am at a Loſs, as I was at a former Day, to rightly get at the Meaning; but I will anſwer the Queſtion.—No; he did not, and we had very little Converſation about Ajeet Sing. I thought he had been convinced that though my Corps was reduced, it was for Want of Pay, and that he had been acquainted with what had been the Conduct of Ajeet Sing.—I do not recollect any Thing other than that our Corps muſt have behaved remarkably well in that Buſineſs.

Q. At no Period of Time?

A. I have ſaid repeatedly, that I never did hear from Mr. Haſtings, or from the Board at large, directly or indirectly, that any Complaint whatever had been preferred againſt me, but in the Caſe of the Raja Ajeet Sing.—What more can I ſay? as the Nabob ſays in his Concluſion to all his Letters to me.

Q. Had you any Converſation with Mr. Middleton upon any Subject of Charge made againſt you by the Nabob?

A. Mr. Middleton, or Mr. Purling, or General Coote, or ſome of them—I believe Mr. Middleton was one.—This Iſmael Beg (who was the moſt artful, deſigning, intriguing Character that I ever met with on the Plains of Hindoſtan, and I believe a great many Gentlemen beſides myſelf knew him to be the Character I have deſcribed him) got to the Nabob's Ear when I was doing his Duty abroad at a Diſtance, and recovering his Country, and he, as I underſtood, ſtated to the Nabob that I was in Poſſeſſion of a certain Part to which I had no Claim; ſo he ſpoke to Mr. Middleton—if it was Mr. Middleton—for really I forget which of the three Gentlemen it was—but I remember this, I referred him to the Miniſter; and I told whichever of

theſe

theſe Gentlemen it was, " Why, if Iſmael Beg has received any Injury, it is the Nabob himſelf and his Miniſters who muſt have injured him, and not me.—The Nabob ſays, that I poſſeſs ſo and ſo—if he does, he muſt make a Miſtake.—Here is the Nabob's Engagement with me for that particular Part which it is complained that I am now in poſſeſſion of: But what is ſtill further and more direct, here is the Nabob's Receipt that I paid him his Demand on Account of this Place that was complained of." I referred to the Miniſter—he laughed at it, I recollect, and I did the ſame, for there was my Engagement with the Nabob. I do not know that the Nabob ever did make the Complaint.

Then the Managers for the Commons deſired the laſt Queſtion might be read. The ſame was accordingly read by the Clerk as follows:

Q. " Had you any Converſation with Mr. Middleton upon any Subject of Charge made againſt you by the Nabob?" Anſwer that in the Negative or in the Affirmative?

A. I have mentioned the Inſtance before—there was a Place called Colonelgunge, which I was in the Poſſeſſion of for the Maintenance of my Troops, when I was employed upon Service, the only Place from whence I could get a Supply of Proviſions for my Troops; this I had, and paid the Rent of it; and I remember ſomebody was ſaying ſomething to me, that the Nabob wiſhed, if it was not in my Cabooliat, in my Claim, that I would give it up. I ſaid, I have paid for it, here is his Receipt for it. The Nabob knew nothing about this Matter; he had his Miniſters and the Servants of the State to do ſuch Kind of Duty. The Nabob knew no more about theſe Things than the King of England knows about Matters of a trifling inſignificant Nature.

Q. Give an Anſwer in the Affirmative or in the Negative?

A. I have anſwered the Queſtion as well as I can; if the Right Honourable Manager has any Thing of the Kind with him, he will find it juſt as I have ſaid, ſomething about a paltry Gunge which I had a Right to, and paid for.

Q. (*By a Lord.*) Had you any other Converſation with Mr. Middleton upon any other Subject of Complaint?

A. No. I believe the Nabob laughed, and ſaid, What, does Ajeet Sing complain of your beating him, or flogging him?

Q. Flogging and beating him?

A. No.—If you mean flogging and beating a Man who had a reputed Army of 30,000 Men at his Beck, I did flog and beat him with my Corps.

Q. Whether or no you have heard that the Nabob ever made a Complaint of you to Mr. Middleton?

A. I have anſwered the Queſtion repeatedly over and over, that I do not recollect ever hearing that the Nabob preferred any Complaint againſt me but in the Inſtance of this Iſmael Beg.

Q. What is Colonelgunge?

A. It was a Market eſtabliſhed immediately for ſupplying the Troops with Proviſions, and it was the only Market I could ſupply my Troops from, and here is the Nabob's Receipt for it.

Q. Did you farm that Market from the Nabob?

A. Yes, I did—it was for the Convenience of my Corps merely; they charged me ſo much for it. I forget exactly what it was that they charged me for it; and I paid it for the Convenience of my Corps, and the Cuſtoms were collected at it.

Q. Whether you have ever heard that the Nabob made any Complaint of the Abuſes of theſe Colonelgunges?

A. There was only one Gunge.

Q. Have you, as you reſided in the Nabob's Dominions, heard Complaints made by the Nabob of theſe Colonelgunges?

A. I know nothing of any Complaints about them but what I have juſt deſcribed; this Man wanted to poſſeſs this Place which I had a Claim to, and if it is doubted, I have convincing Proof of it—for every Thing that I did, every Engagement with the Nabob, I have the Nabob's Engagement with me. I have got a Receipt for all his Claims, and I have his Approbation for all my Conduct; therefore I cannot have any Objection to have my Conduct ſcrutinized into.

Q. Do you know or remember hearing of the Nabob having made ſuch Complaints againſt you?

A. No further than I have informed the Court.

Q. Have you ever heard that a Complaint was made by the Nabob in this Manner, or to this Effect:—" The Gentlemen have eſtabliſhed Gunges for their own Advantage called Colonelgunge, at Daranghur, Futtighur, &c.—the Collections of the Cuſtoms from all Quarters they have ſtopped, and collect them at their own Gunges—each Gunge is rented out at 30,000 or 40,000 Rupees, and the Collections paid to the Gentlemen. They have eſtabliſhed Gunges where there never were any, and where there were, thoſe they have aboliſhed. 30,000 or 40,000 Rupees is

*Sic in Orig. the Sum they are rented at. The Collections to the Amount of a Lack of Rupees are ſtooped * : Major Briſcoe, who was at Daranghur, has eſtabliſhed a Gunge, which is rented out for 45,000 Rupees, and has ſtopped the Ghauts round about the Bupparies, and Merchants coming from Caſhmell, from Schanabad, and bringing Shawls, and other Goods and Spices, &c. from all Quarters, he orders to his Gunge, and collects the Duties from the Aumils, gives them a Chit and a Guard, who conducts them about 500 Coſs; the former Duties are not collected from this Conduct at Caunpore, Futtighur, Furrucabad, &c.; the Duties from the Zilla of Gora and Ihtawa are deſtroyed, and occaſions a Loſs of three Lacks of Rupees, and the Loſſes that are ſuſtained in Furrucabad may be aſcertained by the Nabob Mozuffer Jung, to whom Complaints †Sic in Orig. are every Day made, excluſive of the Aumils and Collectors †, lodge Complaints. Whatever I do, I deſire no Benefit from it—I am remedileſs and ſilent from what happens to me—I know that worſe will happen in other Places—the ſecond Word I know is from their Mouth, only this is the Caſe:—In this Country formerly, and even now, whatever is to be received or paid among the Zemindars, Ryots, and Inhabitants of the Cities, and poor People, neither thoſe who can pay or thoſe who cannot, ever make any Excuſe to the Shrooffs, but when they could pay they did. In old Debts of Fifty Years, whoever complained to the Gentlemen, they agree that they ſhall pay One-fourth, and ſend Duſtucks and Sepoys to all the Aumils, the Chowdries, and Canoongees, and Inhabitants of all the Towns, they ſend for every body to do them Juſtice, confine them, and ſay, they will ſettle the Buſineſs. So many and numerous are theſe Calamities, that I know not how much Room it will take up to mention them. Mr. Briſcoe is at Daranghur, and the Complaints of the Aumils arrive daily. I am ſilent now Mr. Middleton is coming here; let the Nabob ‡Sic in Orig. appoint him for the ſelling ‡ all thoſe Affairs, that whatever he ſhall order" (This is written from the Nabob of Oude, and by the Nabob here he means Mr. Haſtings) "thoſe Gentlemen they will do. From this every Thing will be ſettled, and the Particulars of this Quarter will be made known to the Nabob. I have written this, which you will deliver to the Governor, that every Thing may be ſettled; and when he has underſtood it, whatever is his Inclination, he will favour me with it; the Nabob is Maſter in this Countty, and is my Friend, there is no Diſtinction (*a*)." Did you ever hear of any of theſe Complaints?

A. No, never; I know nothing but about Colonelgunge; and here is his Receipt for it.

The Counſel for the Defendant deſired to know what was the Date of the Conſultation on which the above Letter was entered; and the Managers informing the Houſe that it was the 15th February 1781, the Witneſs ſaid:

I was here then.

Q. Whether you heard, while you was in that Country, of any Complaints about theſe Gunges?

A. I know of none but one which has been mentioned, and that while I held a Command in the Nabob's Service, I was in Poſſeſſion of for the expreſs Purpoſe I have mentioned. I continued the Man in it that had it before; he paid me the Rent, and I paid the Nabob the Rent; and here is his Receipt for it.

Q. Whether you heard any Complaints about that Gunge that you was in Poſſeſſion of? Whether you heard any Complaints of any Gunges in your Time?—of Furrucabad Gunge?

A. I cannot ſay; very likely I may have heard about Gunges.—I don't know what the Diſtance is from Furrucabad to Allahabad; it may be ſome Hundreds of Miles; I don't know what was going on at Furrucabad Gunge; I don't know that I ever ſaw it; I did not know before the Names of any of theſe Gunges till I heard them mentioned, except Colonelgunge. This was a Gunge made many Years ago for the Convenience of the Army.

Q. Where was it?

A. At Allahabad. I only know one Colonelgunge.

Q. They are all Colonelgunges?

A. I certainly don't believe they are all Colonelgunges; I only know one Colonelgunge; I don't know another Gunge called Colonelgunge.

Q. Whether you have ever heard that "all the Officers ſtationed with the Brigade at Cawnpore, Futtighur, Daranghur, and Furrucabad, and other Places, wrote Perwannahs, and gave poſitive Orders to the Aumils of all thoſe Places reſpecting the Grain, and from which Conduct the whole Country will become depopulated:" Whether you have ever heard a Complaint to that Effect?

A. I do not know—none of theſe Perwannahs were brought into the Country that I had the Charge of.

Q. Whether you have heard any ſuch Complaints as have been read?

A. Really I do not underſtand the Queſtion.

(*a*) N. B. This Letter is entered on a Secret Conſultation of the 15th February 178[illegible], Book 567, P. 418 to 423, and is "written the 12th Zekaida."

Q. The

Q. The Charge is in a Letter from the Nabob Aſoph ul Dowlah to the Board, which was received the 1ſt of February 1781, and it refers to the paſt Conduct of Officers in the Nabob of Oude's Territories, or on the Borders of it; and the Complaint is this—" All the Officers ſtationed with the Brigade at Cawnpore, Futtighur, Daranghur, and Furrucabad, and other Places, wrote Perwannahs, and gave poſitive Orders to the Aumils of all thoſe Places reſpecting the Grain, and from which Conduct the whole Country became depopulated."—Have you ever heard a Complaint to that Effect?

A. I was in England, or on my Way to England, at the Time alluded to; I never heard any Thing of it; it is not unlikely but that a Commanding Officer might ſend out a Perwannah, if he could not get Grain without ſending after it; I would have done it.

Q. Did you or not ever hear of it?

A. I don't recollect,—not in the Nabob's Country; I think it is very poſſible they have done it.

Q. Can you remember whether you heard any thing of that Kind?

A. No; I did not; I was employed in a particular Diſtrict, and no ſuch Perwannahs came into the Diſtrict committed to my Charge; and I cannot ſpeak to any Thing elſe.

Q. *(By Counſel.)* When did you leave Calcutta?

A. In December 1780.

Then the Managers for the Commons read the following Extract of a Letter from the Nabob Vizier to Mr. Middleton, entered upon a Conſultation of the 4th of June 1781.

" I have received your Letter, requeſting Leave for a Battalion to be raiſed by Captain Clark, on the ſame Footing as Major Oſborne's was, agreeable to the Requeſts and Complaints of Iſhmael Beg, the Aumil of Illahabad, &c. and in Compliance with the Directions of the Council. You are well acquainted with the Particulars and Negotiation of Iſhmael Beg, and the Nature of Mr. Oſborne's Battalions. At the Beginning of the Year 1186 (1779) the Affairs of Illahabad were given on a Leaſe of Three Years to Iſhmael Beg, together with the Purgunnahs Arreel and Parra; and I gave Orders for Troops to be ſtationed and raiſed conformable to his Requeſt. Iſhmael Beg accordingly collected 1200 Peons, which were not allowed to the Aumil of that Place in the Year 1185—the Reaſon why I gave Permiſſion for the additional Expence of 1200 Peons, and that he might be enabled to manage the Country with Eaſe, and pay the Money to Government regularly. I beſides ſent Mr. Oſborne there, to command in the Mahals belonging to Illahabad, which were in the Poſſeſſion of Rajah Ajeit Sing; and he accordingly took Charge.

" Afterwards, in Obedience to the Orders of the Governor General Mr. Haſtings, Jelladut Jung he was recalled, and the Mahals placed, as before, under Rajah Ajeit Sing.—I never ſent Mr. Oſborne to ſettle the Concerns of Illahabad, for there was no Occaſion for him; but Mr. Oſborne of himſelf committed Depredations and Rapines within Iſhmael Beg's Juriſdiction. Laſt Year the Battalion, which by the Permiſſion of General Sir Eyre Coote was ſent, received Orders to ſecure and defend Iſhmael Beg againſt the Encroachments of Mr. Oſborne; for the Complaints of Iſhmael Beg againſt the Violences of Mr. Oſborne had reached the General and Mr. Purling, and the Governor and Gentlemen of Council, at my Requeſt, recalled Mr. Oſborne. This Year, as before, the Collections of Arreel and Parra remain under Iſhmael Beg.—In thoſe Places, ſome of the Talookdars and Zemindars, who had been oppreſſed and ill-treated by Mr. Oſborne, had conceived Ideas of Rebellion."

Then the Witneſs was aſked,

Q. Whether or no you ever heard from Mr. Haſtings of theſe Charges?

A. I did not: And as for the Deſtructions, I ſhould ſuppoſe that Part of the Letter, if the Right Honourable Manager has it right, muſt have been obtained ſurreptitiouſly from Lucknow; for here is the Nabob's Grant to me of that Part of the Country that is here mentioned, where I had no Interference with Iſhmael Beg;—and here is a Receipt for the Revenue;—and here is a Tranſlation of it.

Q. Did you ever hear any Thing from Mr. Haſtings about that Letter?

A. No, never; never heard any Thing of it from Mr. Haſtings. That Letter ſeems written a Twelvemonth after I left India, or a long Time after.

Q. Then Mr. Haſtings never communicated that Complaint to you?

A. Never; he did not; I never heard any Thing of it from him.—Here is the Sunnud I had from the Nabob (and a very extenſive one it is), for the Parts of every particular Country alluded to in that Letter;—and here is the Nabob's Receipt in full for the Revenues of it when I left him.

Queſtion repeated.

A. This Letter ſeems to have been dated in 1781. Mr. Haſtings could not have communicated it to me; it was a long Whiſper from India to England. I was here, or on my Way here;

here;—if I had been there, I was not in the Confidence of Mr. Haſtings; he was a Man in too ſuperior a Station for me to be in the Confidence of.

Q. This ſtates that the Complaints were the Cauſe of the Recal. Whether at any Time Mr. Haſtings ever informed you of the Exiſtence of theſe Complaints againſt you?

A. I know it does ſtand upon Record how I came to leave the Nabob's Service; that he could not pay me; it was to this Purport I know; That the Nabob's Finances being ſo very low, we recommend to him, if he could poſſibly do without the Service of Major Oſborne's Corps, that he had better reduce them; and I thought ſo; and as ſoon as I got the Money, I paid my Troops; I gave them Half a Year's Pay out of my own Pocket, and took my Leave of them; and a very affecting Thing it was. But I might have ſtaid with the Nabob, I believe, till this Day, if I would have ſcrambled for my Pay.

Q. Did you ſay, that you imagine the Managers had come ſurreptitiouſly by this Paper?

A. No; I ſaid very far from it.

Q. That it was ſurreptitiouſly obtained from the Board?

A. No, from Lucknow; and I think moſt likely from a Muſſulman.

Q. Have you ever commanded, or propoſed to raiſe a Corps of Horſe in the Nabob's Service?

A. I propoſed a good many Things; ſome I ſucceeded in, ſome I did not; but I do not recollect ever propoſing any independent of my Corps; there were five hundred Horſe attached to my Corps; my Propoſal was, to raiſe a thouſand Infantry Rank and File, and Artillery. The Nabob thought proper, of his own Accord, to augment my Corps to 1500. The Nabob gave me the Commiſſion. I never wrote to Mr. Haſtings about it; I took the Commiſſion.

Q. Whether you had, at any Time, a Knowledge of the Horſe Service in that Country?

A. I had Horſe act againſt me, and I gave a pretty good Account of them, I hope. General Clavering did tell me, that he would propoſe to the Board that I ſhould have the Command of a Regiment of Cavalry in the Nabob's Service; but I never came forward with any Plan, or any Thing of that Kind.—That I believe I related the other Day.

Q. Whether you can form any Judgment of the juſtly eſtimated Expence of a Corps of Cavalry, for each Man and Horſe, in that Country?

A. I do not think that I can; for as I had not a Regiment of Horſe, I know nothing about the Expence of it. The Horſe attached to my Corps were Country Horſe, Marattas, Muſſulmen, Moguls, and the Nabob's Horſe, that were attached. I had no regular Body of Horſe attached to my Corps, for which I drew any regular Pay; and I know nothing about the Expence of a Regiment of Cavalry.

Q. Where was you when Mr. Haſtings went up to Benares, in his firſt Journey in 1780?

A. On my Way here.—Very likely I was here.

Q. When Mr. Haſtings went to Benares?

A. I do not know when he went; if I were told the Time, I could ſay where I was.—I believe I was in my Way to England.

Q. *(By Counſel in Reply.)* Whether the Repreſentation contained in the Nabob's Letter to Mr. Middleton, which was laſt read, imputing to you the Commiſſion of ſeveral Acts of Violence and Rapine, is true? and whether ſuch Acts of Violence and Rapine were committed by you?

A. No, they are falſe.

The Counſel for the Defendant deſired that an Anſwer given by the Witneſs to a Queſtion put to him on a former Day might be read. The Minutes not being at Hand, the Counſel for the Defendant ſtated the Queſtion and Anſwer to have been as follows:

"Q. Whether you ſummoned Saul and Renna to the Court of Enquiry?"

"A. Yes."

And deſired the Witneſs might be aſked, Whether he gave that Anſwer? The Witneſs ſaid,

I certainly did not mean to give ſuch an Anſwer (*a*).

Q. Did you, or not, ſummon thoſe Perſons, Saul and Renna, to the Court of Enquiry?

A. No; that Court of Enquiry was ordered to eſtabliſh the Conduct of my Jemmadar, and to eſtabliſh the Charge, that thoſe Perſons had committed the Crime with which they were charged.

The Managers for the Commons objected, that a Witneſs could not be permitted to change Yes into No, a Day after.

The Witneſs ſaid:

(*a*) Vide ſupra, P. 1676.

It

It was not my Intention, or my Meaning. I ſtand before the Court upon my Oath, and every Thing that can be expected from a Man in ſuch a Situation, and who is ſenſible of what is the Nature of an Oath, is to be expected from me. The Truth is to be expected from me, and every Thing of a contrary Tendency is far from me.

Q. *(By a Lord.)* Did you, or did you not, ſee any Act of Ill-will from Mr. Haſtings towards Cheit Sing during the Time you were in India?
A. No; I did not.

Q. Did you, or did you not, ſee any Act of a contrary Tendency—Good-will?
A. I always thought Mr. Haſtings really to be partial to Cheit Sing. I thought him partial to the Country People in general, but I always thought him particularly partial to Cheit Sing. I recollect, when I was Reſident at Ghauzepore in the Year 1773, when Mr. Haſtings was in his Way up the Country, I had had ſome Servants ill-treated, and Property taken away, by the People in Cheit Sing's Country. I could not obtain ſuitable Redreſs from Cheit Sing, and I preferred my Complaint to Mr. Haſtings.—Mr. Haſtings ſaid, "Adduce Evidence in Support of it; I have not a Doubt of what you repreſent, but it is neceſſary for me, to obtain Juſtice for you, that Evidence ſhould be adduced; and if you do that, I will uſe my Endeavours that you may have proper Redreſs." I afterwards waited upon Mr. Haſtings when I heard the Hurry of his Buſineſs was over at Benares, and I preſented him this Evidence; and I had the People who had given it ready to corroborate it. Mr. Haſtings ſaid, "Mr. Oſborne, I am convinced of the Truth of all you have repreſented; and indeed I find the People againſt whom you complain acknowledge the Juſtneſs of your Complaint againſt them; but at the ſame Time I diſcover that Rajah Cheit Sing is diſpoſed to favour theſe People; therefore, though you are right, and they have been wrong, I am reduced to the Neceſſity of deſiring that you will quit your Place of Reſidence at a certain Time,"—mentioning the Time. I certainly thought that an Act of great Partiality and Favour to Cheit Sing, and hard againſt myſelf. I was right, theſe People were wrong; but Mr. Haſtings ſaid, "I cannot ſupport out of the Province a Britiſh Subject againſt the Inclination of the Rajah."

The Witneſs was directed to withdraw.

The Counſel for the Defendant deſired Mr. Markham might be called in.

Accordingly Mr. MARKHAM was called in, and being ſworn, was examined as follows:

Q. Was you ever at Benares, and when for the firſt Time?
A. I went up the latter End of the Year 1778.

Q. How long did you ſtay there?
A. Till the Beginning of the Year 1780, or the latter End of the Year 1779.

Q. Who was the Reſident in the Year 1779?
A. Mr. Graham.

Q. Was you Aſſiſtant Reſident at that Time?
A. I was Aſſiſtant to the Reſident at that Time.

Q. Do you remember repeated Applications made to Cheit Sing in the Year 1779, for the Payment of his Subſidy?
A. I do.

Q. Were thoſe Applications ſucceſsful?
A. The Board were obliged to order a Force from Dinapore to compel Payment of the War Subſidy.

Q. Did he pay the Whole of the Subſidy till after the Arrival of that Force?
A. The whole of the Subſidy was not paid till that Force advanced very near to Ramnagur.

Q. How much was paid after the Arrival of that Force?
A. I do not recollect the Sum.

Q. Did that Force appear to be a neceſſary Meaſure to compel Payment?
A. I ſhould ſuppoſe it was a neceſſary Meaſure.

Q. Did you return to Benares in the Year 1781?
A. I returned to Benares, I think it was the 1ſt of February 1781.

Q. In what Character?
A. As Reſident.

Q. In the Interval between the Year 1780, and before you went up in the Year 1781, had you had Communications with Mr. Haſtings upon the Subject of Benares and Cheit Sing?
A. I was private Secretary to Mr. Haſtings, and certainly had Communications with him upon that Subject.

Q. Did you receive any Directions from Mr. Haſtings reſpecting your Conduct at Benares, prior to your going up in the Year 1781?

A. Beſides the Buſineſs of my Office, Mr. Haſtings mentioned to me the Manner in which he had always treated the Natives, and wiſhed me to follow his Example in that Particular: Moderation and Mildneſs were the Things he ſtrove to impreſs upon my Mind.

Q. Did you receive any Directions to provoke or irritate Cheit Sing to acts that might afford a Pretence for Violence againſt him?

A. By no Means.

Q. Did Mr. Haſtings give Directions to the contrary?

A. He moſt certainly did. Mr. Haſtings deſired me to avoid the Conduct of Mr. Graham, which he ſometimes thought was harſh towards Cheit Sing.

Q. Did you diſcover at that, or at any antecedent Period, any Thing in the Conduct, or Words uſed by Mr. Haſtings that indicated Malice againſt Cheit Sing?

A. I never did.

Q. Upon what Subject was you directed to communicate with Cheit Sing?

A. The Supply of Cavalry was the moſt material, beſides which there were Directions to him reſpecting the Police of his Country, and of Benares, and to remind him how very ill he had diſcharged his Promiſe with Reſpect to the War Subſidy of the Year 1780.

Q. Did you communicate thoſe Subjects to Cheit Sing?

A. I did.

Q. What Demand, what Requiſition did you make reſpecting the Cavalry?

A. I mentioned to him that it was underſtood that he had a very large Body of Cavalry in his Service, more than was neceſſary for the Collection of his Country, and wiſhed him to ſpare for the Uſe of the Company as many as he could. I do not recollect that by Mr. Haſtings's Orders, or in the Letter which I carried up to Cheit Sing upon the Subject, there was any ſpecific Number mentioned; but in my Converſation with Cheit Sing, to the beſt of my Recollection, I mentioned at firſt 1,500 as what he ought to ſpare to the Company. He ſaid, it was infinitely more than he could ſpare. I then ſaid, If you will readily, and with Good-will, ſpare One Thouſand, I will do my beſt Endeavours to confine it to that Number—that I would write to Mr. Haſtings he had ſupplied a Thouſand, and I hoped that would be ſufficient.

Q. How ſoon after your Arrival was the Demand confined to One Thouſand?

A. I think it was the third Day after my Arrival that I viſited Cheit Sing.

Q. You are underſtood to ſay you delivered a Letter from Mr. Haſtings to Cheit Sing?

A. I did.

Q. Upon your Arrival?

A. I believe the Raja viſited me on the Night of my Arrival, and on the Day I returned it, which I think was the third Day, I delivered him the Perwanna, a Letter with reſpect to the Cavalry, and with reſpect to the Police of his Country.

Q. Was any Explanation given to the Raja reſpecting the Time the Cavalry would be wanted?

A. I mentioned very particularly, during the War only.

Q. Did you continue at Benares till Mr. Haſtings's Arrival, or till a ſhort Time before his Arrival in the Month of Auguſt 1781?

A. As a Mark of Reſpect to the Governor General I went down, intending to meet him at Patna.

Q. What Time did you leave Benares for that Purpoſe?

A. I ſhould think it was the 15th or 16th of July, but I am not quite clear as to the very Day; not finding him at Patna, I went on to Boglepore.

Q. Whether in the Interval between your Arrival and your quitting Benares to meet Mr. Haſtings, you repeated your Demand of Cavalry upon Cheit Sing?

A. I did continually.

Q. How often might you repeat that Requiſition to him?

A. It is impoſſible for me to ſay how often; but I don't ſuppoſe that three Days ever paſſed without either perſonally, or by Letter, endeavouring to make him ſend that Cavalry; I uſed every Perſuaſion in my Power. I mentioned to him, that now there were no Diviſions in the Council at Calcutta, that it was impoſſible he ſhould expect ſuch a Demand made by our Government, ſhould be given up merely upon his Repreſentations, which he muſt know, as well as myſelf, were not true, ſuch as Inability to pay.

Q. Did you ever give him Reaſon to expect any Anſwer to his Letter deſiring to be excuſed this Demand?

A. I never did give him Hopes of an Anſwer in Return. I told him it was diſreſpectful even to expect it. He had received one Perwanna from the Governor General while Mr. Fowke was Reſident;

ſident; that he had written to the Governor General, and in Anſwer he had received one from myſelf, and he was not to expect that the Time of the Governor General and Council was to be taken up in anſwering his Letters; and that he had had their Orders upon the Subject.

Q. Did you conſtantly repreſent to Cheit Sing, that the Requiſitions you made were in conſequence of the Orders of the Board?

A. I did. I uſed every Perſuaſion that even a Friend could have done to make him ſend thoſe Horſe.

Q. Were any Horſe ever ſent?

A. Never.

Q. Did he ever muſter a ſingle Horſe?

A. He never did. And before I left Benares, I told him, that the Diſpleaſure of our Government would certainly come upon him. As to his Offer of 500 Horſe, and 500 Burkendaſſes, the Burkendaſſes could be of no ſervice to us, being irregular, they could not be admitted in our Line; and I begged him only to ſend the 500 Horſe to make a Shew of Obedience, but he never would muſter one.

Q. Did he deſire to know to what Place the Horſe were to be ſent?

A. I do not recollect that he ever aſked me the Queſtion; if he had, I think I ſhould; becauſe I did not know myſelf to what Place they were to be ſent, which would have made me apply to Mr. Haſtings for Orders thereupon.

Q. *(By a Lord.)* Which would have made you apply?

A. Yes—His applying to know to what Place they were to be ſent, would make me apply to the Governor General to know to what Place they were to be ſent.

Q. *(By Counſel.)* Upon the Offer being made of 500 Horſe, and 500 Burkendaſſes, did you deſire him to get ready thoſe 500 Horſe?

A. I deſired him to muſter them, and ſend them to me, to ſhew that he was inclined to execute the Orders that he had received from the Governor General.

Q. Did he ever do ſo?

A. He never did; he never even told me that they were ready at another Place.

Q. Have you any Doubt of his Ability to have furniſhed thoſe Horſe?

A. I am convinced he was able to furniſh the Horſe, and without Injury to his own Collections.

Q. What was the Number of his Cavalry?

A. I at that Time thought that he had between 2,500 and 3,000: 2,500 I thought he had, but afterwards it proved that he had many more.

Q. To the Number of 3,000?

A. I believe more than 3,000; that is, I mean after the Diſturbances were over, and that we had experienced his Horſe in the Field.

Q. What Number of Cavalry were neceſſary for his Collections?

A. Very few; and I ſay very few, becauſe afterwards it was proved that a very ſmall Number, and I believe, after I quitted Benares, none were employed—but Baboo Doorbedjy Sing employed I believe about One Hundred.

Q. You are underſtood to ſay, that the Naib Doorbedjy Sing, after the Commotions, was able to carry on the Collections with One Hundred?

A. Yes.

Q. Have you any Doubt then that the ſame Number would have been ſufficient to carry on the Collections in the Time of Cheit Sing?

A. I have not the leaſt Doubt but that an Hundred would have been ſufficient.

Q. Do you believe that the true Cauſe of not furniſhing the Cavalry was from any Want of them for his Collections?

A. I do not believe that he wanted the Cavalry for his Collections.

Q. Do you at any Time remember ſeeing a Number of Horſe when you were converſing with Cheit Sing upon the Subject?

A. I recollect paying Cheit Sing a Viſit at a Garden he had two Miles and an Half from Ramnagur, and ſitting with him upon a Turret, and ſeeing a very large Body of Horſe at the Diſtance of a Mile or a Mile and an Half from us: I turned to him, and ſaid, If you will only furniſh the Number of Horſe you have now in your Suite for your Parade, it will be ſufficient to anſwer the Demand made on you by the Company; and I could not get an Anſwer from him.

Q. Could the State of Affairs upon the Coaſt at that Period have been unknown to Cheit Sing?

A. I ſhould ſuppoſe not, becauſe our Converſations very often went to the Buſineſs of the Coaſt; and whenever we did gain an Advantage there, I conſidered it as a Duty to inform him of it.

He

He certainly muſt have known our Diſtreſſes upon the Coaſt; the Defeat of Colonel Baillie's Detachment was rife in the Country every where.

Q. Had you any Reaſon to believe that the Diſtreſſes upon the Coaſt were the Subject of Converſation on the Part of Cheit Sing, with his Miniſters and Perſons about him?

A. I have no Doubt heard that they were.

Q. Have you ſeen a Letter of Mr. Balfour's to Mr. Haſtings, ſtating that Circumſtance?

A. Dr. Balfour wrote to me while I was Mr. Haſtings's Secretary, the latter End of the Year 1780, ſaying, there had been a Converſation between the Raja Cheit Sing and Meer Saadut Ally, reſpecting our Affairs upon the Coaſt, and I mentioned the Letter to Mr. Haſtings afterwards.

Q. Was that prior to the Diſturbances?

A. The Receipt of Dr. Balfour's firſt Letter was at the latter End of the Year 1780. Dr. Balfour, in his ſubſequent Letter of Auguſt, mentions two Letters that he wrote to me;—he might, but I can only ſpeak to one.

Q. Was that ſubſequent to Baillie's Defeat—the firſt Letter?

A. It was.

Q. Was it communicated to Mr. Haſtings at that Period?

A. I certainly mentioned it to Mr. Haſtings.

Q. Had you Intelligence upon the Spot corresponding with that reſpecting the Conduct of Cheit Sing, and his Adviſers at that Period?

A. I certainly heard that there were Converſations between him and his Adviſers upon the Subject, and talking of the Poſſibility of our being driven out of India; but I could not bring it as an Accuſation againſt Cheit Sing, becauſe it was only Hearſay.

Q. Had Cheit Sing at this Period a Vakeel at Calcutta?

A. He had.

Q. Was it cuſtomary with the Vakeel to tranſmit regular Intelligence of what paſſed at Calcutta?

A. I believe every Thing that paſſed at Calcutta he immediately wrote to his Maſter.

Q. Was there any Difficulty then of the Raja being informed of the Wiſhes of the Board through that Channel of Communication?

A. No: certainly not; for I remember when the Raja aſked me why he did not receive an Anſwer from Mr. Haſtings to his Letter reſpecting the Cavalry, the Perſian Interpreter, Mr. Colebrook, wrote me Word, that Mr. Haſtings had given the moſt poſitive Orders to the Vakeel to inform Cheit Sing to ſend the Cavalry immediately; that muſt have been about the Month of May, I think. I was fearful that he had not communicated this to the Raja, he might have been fearful of doing it; I therefore mentioned it to the Raja, and he ſeemed to aſſent that the Vakeel had given him ſuch an Order from Mr. Haſtings.

Q. Do you believe, from any Thing you obſerved, that the not furniſhing this Cavalry was from any real Difficulty in knowing what the Sentiments of the Board were upon the Subject?

A. He certainly was perfectly acquainted with the Orders of the Board upon this Subject.

Q. Did you make any Complaints to the Raja upon the Subject of his Police?

A. I did; and frequently.

Q. What was the State of the Police in the City of Benares?

A. Criminal Juſtice there was none; there was a Cutwall and a Cutwally; but if a Robbery or Murder was committed, the Offender immediately eſcaped into the adjacent Country; and he was there protected by the Aumil, and ultimately by Cheit Sing; for he would not give him up. With reſpect to Civil Matters the Aumil was hardly allowed to interfere; but they were generally carried over to Ramnagur, where either Buxy Sadanund, or one of the Raja's intimate Friends, determined upon the Cauſe; and I believe there was generally a certain Proportion taken, I believe a Quarter of the Money awarded.

Q. Taken, by whom?

A. I don't know that it went abſolutely to the Raja; but it was a Kind of Perquiſite to ſome one of his Servants.

Q. In point of Fact, what was the State of the Police during your Reſidence there at any Period of Time that you was at Benares?

A. Both while I was Aſſiſtant there, and till the Troubles broke out there, very bad indeed; worſe than in any other City I ever was in.

Q. Specify in what Reſpect it was bad?

A. Murder and Robbery were very frequent; and the Murders I can ſpeak to, becauſe it was the Cuſtom of the Country for the Relations of the Deceaſed to bring the Body to the Door of the Perſon from whom they expected Juſtice, and to claim that Juſtice at their Hands, and the

Clamour was continued till you appeared, and till you promiſed to do them every Juſtice in your Power.

Q. What was that the Caſe in Benares?

A. It was: I had had very many Bodies preſented to me in that Way at my Door; nor would the People be ſatisfied till I appeared, and they uncovered the Bodies to ſhew.

Q. Did you, upon that, take any Steps to procure Redreſs from the Raja?

A. I have very frequently applied to the Raja upon the Subject. I got Promiſes from him, but I never could get him to deliver up the Murderer, although, from the Information I had received, I told him in what Village the Murderer was; I once went ſo far, that I told the People I could not redreſs them, and told them to carry the Bodies to the Raja. They ſaid, they were not allowed to croſs the River. I ſent a Servant of my own with the Bodies; he came acroſs, and complained of the Shame I caſt upon him by ſending the Bodies to him; I told him, that he ought not to be ſo much aſhamed at ſeeing the Bodies, and having them at his Door, as at ſuffering ſuch Violence to be committed.

Q. What was the State of the Police in other Parts of the Zemindary?

A. I cannot ſay the Police in the other Parts of the Zemindary was bad with reſpect to the People of Cheit Sing's own Country. The People of the Zemindary of Benares reſembled very much a Highland Clan; they did not rob one another; I mean a Highland Clan of old Times; but conſidered the Reſt of the World as their Prey; and I underſtood in Cheit Sing's Country they carried Robbery from Delhi to the Gates of Illahabad; and the Country of Bulwant Sing was the Aſylum for theſe Robbers and Plunderers. I do not ſay the ſame of Cheit Sing; but only that the People of Cheit Sing's Country committed Depredations upon others, but not upon one another; there were frequent Complaints from Mr. Green the Reſident at Chuprah, and frequent Complaints from Mr. Middleton, of their Depredations in thoſe Countries; but I believe, with reſpect to the Country itſelf, and with reſpect to one another, it was very well.

Q. Had you Reaſon to believe that any of the Aumils kept Thieves in Pay?

A. It was ſo ſaid, and I believed it.

Q. Did the Raja derive himſelf any Profit from it?

A. That alſo was ſtrongly aſſerted. I cannot ſpeak to it as to a Fact.

Q. What was that Profit called, received by the Raja?

A. I mentioned it to Mr. Haſtings as a Thing that was aſſerted, and called the Duſtore, that is, the cuſtomary Allowance.

Q. Do you recollect in particular any Endeavours uſed to prevent the Apprehenſion of a Murderer by Means of the Merchants?

A. I do. A Nephew of a Merchant named Buſraje had committed a Murder, and was in his Uncle's Houſe: I ſent a Party to ſecure the Avenues of the Houſe, not chuſing to force a Place in ſome Degree held ſacred, and ſent over to the Raja, deſiring that he would make Buſraje deliver up the Offender. Buſraje went over to the Raja, and, as I was aſſured, the Raja ſaid to him, Why don't you make the Merchants ſhut up their Shops, and complain to the Governor General againſt Mr. Markham?—I would, ſaid Buſraje, if the Accuſation was a falſe one.

It being objected that this was Hearſay Evidence, the Counſel for the Defendant acquainted the Houſe, that if there was any Doubt of the Propriety of receiving it, they would waive the Enquiry.

Q. Whether you ever made any Complaints to Cheit Sing of his harbouring fugitive Rebels in his Country?

A. I certainly have; particularly with reſpect to Futty Shaw.

Q. Did you receive any Redreſs upon that Subject?

A. I never did.

Q. Had you any Opportunity of knowing, at the Period I am ſpeaking, the Year 1781, what was the State of the Military Eſtabliſhment of Cheit Sing, and of his Forts?

A. I never had an Opportunity of knowing what the Situation of his Forts was; for it was a Thing that he kept entirely concealed. I know that he had a large Body of Infantry; how many I did not know; and I at that Time believed he had ſomewhere about 2,500 Horſe.

Q. Do you recollect any Circumſtance indicating peculiar Jealouſy on the Part of Cheit Sing to prevent the Engliſh having a Knowledge of the State of his Forts?

A. I recollect that when Mr. Graham was at Calcutta, and myſelf left in Charge of the Office at Benares, having Occaſion to write a Letter to Cheit Sing on ſome public Buſineſs, and ſending it to him by my Chubdar to Lutteefpoor, where he was gone upon a Hunting-party, the Chubdar was met by a Guard at the Bottom of the Paſs, and told, that he could go no further, for that neither any one of the Engliſh, nor the Engliſh Dependants, were allowed to come within the Fort; the Chubdar was obliged to return to me with the Letter. Mr. Graham,

upon his Return to Benares, mentioned the Circumſtance to the Governor General. I recollect having received a Letter from Captain Rankin, the Officer who was making a Road from Chunargur to Calcutta for the marching of the Troops: He deſired Perwannas from myſelf and Cheit Sing for the Aſſiſtance of the Country People to afford him Neceſſaries. Theſe were granted him, and a Guard alſo from Cheit Sing. When he got within about Eight or Ten Miles of Beechnagur, where he encamped, he was deſired by the Guard to confine himſelf to his Tent, for that no one was allowed to ſee the Fort. I remember his laughing at it, in a Letter, and ſaying, that this Jealouſy made him peep through the upper Part of the Wall of the Tent, from which he did ſee the Fort, and gave me a Deſcription of it, ſuch as he could ſee at the Diſtance of ten Miles.

Q. Have you any Doubt of the Abiſity of Cheit Sing to have paid his Subſidy?
A. I am certain that he was able to pay the Subſidy?

Q. Without Inconvenience?
A. Without diſtreſſing himſelf, certainly.

Q. What do you judge to be the annual Revenue of his Country?
A. I believe the Revenue received by Cheit Sing, at that Time, muſt have been about Forty-ſix Lacks, or thereabouts.

Q. Is that the Net or the Groſs Revenue?
A. The Groſs Revenue was, I believe, about Fifty-three Lacks. The Settlement of the Country afterwards was made, upon a Calculation of mine, at Fifty-three Lacks; the Net Receipt at about Forty-ſix or Forty-ſeven Lacks.

Q. Whereabouts do you judge to have been the annual Expence of the Raja's own Eſtabliſhment?
A. I really cannot, at this Time, recollect what I judged the Eſtabliſhment to be; but thus far I recollect, I computed that he muſt have ſaved every Year about Eleven Lacks.

Q. Did you make any Complaints to Cheit Sing of his having been unpunctual in the Payment of his Kiſt antecedent to your going up?
A. I certainly did. I had another Letter, a ſeparate Letter, from the Governor General to that Purpoſe.

Q. Was he punctual afterwards in the Payment of his Kiſt?
A. He was not punctual; for I recollect the Kiſt to be paid to Gopaul Doſs, and to be received in Ready Money; and I think, as well as I can recollect, he was about Twenty Days behind-hand, which Gopaul Doſs complained of very much, as he loſt Intereſt upon his Money.—There was another Kiſt alſo, how long I cannot recollect, but more than that I believe, upon which Gopaul Doſs complained heavily.

Q. When you ſpeak of this Unpunctuality, do you mean the Period of Time the Bills were given upon Calcutta?
A. The Kiſts I have been ſpeaking of were not received in Bills, but in Ready Money, to be paid to Gopaul Doſs, who was a Merchant at Benares.

Q. Had the Company the Option to receive it in Ready Money or in Bills?
A. I believe it was at the Company's Option.

Q. When it was a Money Payment, was there any Diſcount for prompt Payment?
A. None.

Q. It was due on the Day?
A. It was due on the 4th of the Month, and to be diſcharged on the 5th.

Q. Was it the Courſe of Payment to diſcharge one Month under another?
A. Does the Queſtion mean, Whether it was the Courſe of Payment to diſcharge on the 4th of March what was due on the 4th of February?

Q. Yes?
A. No; it was to be diſcharged the Day it was due; and always underſtood ſo by Cheit Sing, and by the Reſident.

Q. There was no cuſtomary Relaxation of that by the Uſage of the Country there?
A. There was not.

Q. Was you at Buxar when the Raja came there and met Mr. Haſtings?
A. I accompanied Mr. Haſtings from Patna. I was not preſent at the Interview between Cheit Sing and Mr. Haſtings, I believe: I arrived at Buxar a little later than the Reſt of the People: I do not recollect being preſent at the Interview, if that is the Meaning of the Queſtion.

Q. Did you ſee any armed Men in the Boats that accompanied Cheit Sing?
A. No. Cheit Sing's Boats lay further up the River, more to the Weſtward: I did not ſee them, and I did not go up with Mr. Haſtings to Benares from Buxar; but left Buxar about

Eleven o'Clock at Night, and went Poſt to Gauzepore, where my Horſes were; and I rode on Horſeback to Benares.

Q. Did you obſerve any military Attendance with Cheit Sing?

A. No, I did not; there was a Body of Men a little out of my Road from Buxar to Gauzepore; and being at the Diſtance of a Mile, or Two Miles perhaps, and it being dark, and perhaps myſelf aſleep, I did not obſerve them.

Q. You remember the Circumſtance of proceeding with a Guard to the Houſe of Cheit Sing, to put him under Arreſt?

A. I do.

Q. Was you directed to treat Cheit Sing with Attention, or otherwiſe, in the Execution of that Meaſure?

A. It certainly was the Governor General's Intention that he ſhould be treated with Reſpect.

Q. Did the ſecuring of his Perſon at that Period appear to be a neceſſary Meaſure?

A. I myſelf thought it certainly a neceſſary Meaſure; for I mentioned to the Governor General the Evening before, that my Opinion was, that if a large Sum of Money was demanded of him before his Perſon was ſecured, he moſt probably would run to his Forts, fly to his Forts; and that the ſecuring of his Perſon would prevent any fooliſh Meaſure of the Kind. I do not believe that the Seizure of his Perſon was ever intended as a Thing to degrade him.

Q. Is there any Thing peculiar in the Cuſtoms of that Country, which would make an Arreſt a peculiar Mark of Infamy to a Perſon in the Raja's Situation, more than to any other Perſon?

A. I believe not; unleſs you were to accompany it with any Rigor which would degrade him from his Caſt: And in this Caſe there certainly was no ſuch Thing done.

Q. Would it in any Reſpect have incapacitated him from carrying on the Government of the Country (if he had continued in the Government of it), as well afterwards as before?

A. I do not believe that it would have incapacitated him from carrying on the Buſineſs of his Country as he did before.

Q. In what Manner were the Orders executed for ſecuring his Perſon?

A. I went myſelf, accompanied by Lieutenant Stalker and a Body of Orderlies, the Number I am not certain of. I found the Raja ſitting in an open Hall, a ſmall Hall open on one Side. I ſat down with him. I told him, the Governor General judged his Anſwer to the Letter I had before delivered to him to be unſatisfactory; and that, on account of his Contumacy, in not having furniſhed the Horſe, as required by the Board, and his Miſconduct in the Delay of the Payment of the War Subſidy in 1780, the Governor General ordered him to conſider himſelf as under Arreſt. The Raja made a Motion with his Hand to a Dagger by his Side. I put my Hand upon his Arm, and deſired him to be quiet, and not to oblige me to uſe more Violence: That when I was the Perſon who arreſted him, he muſt know that his Life and his Honour were ſafe. He obeyed quietly. He deſired to ſpeak to me in private; and we went into a ſmall Room adjoining, where he made thoſe Repreſentations which I ſtated to the Governor General,—thoſe Profeſſions that I made to the Governor General in my Letter to him on my Return.

Q. The Letter that is in the Narrative?

A. It is in the Narrative.

Q. Who accompanied you?

A. I waited for Two Companies of Seapoys, which were ordered to follow me, and to obey my Orders. The Officer came up to the Fort, as is cuſtomary, with his Sword drawn; upon which the Raja jumped back. I begged him not to be alarmed, and told Mr. Scott to put up his Sword, and introduced him to the Raja. I gave him for Orders, that he was to keep the Perſon of Cheit Sing ſecure; that he was to allow any Eight or Ten People, whom the Raja ſhould chuſe, to attend him; that he ſhould turn all other People out of the Two Incloſures; but that he was to allow the Raja to have every Indulgence conſiſtent with the Security of his Perſon. He aſked me, Where he thought I ought to place Centinels? I ſaid, I was unacquinted with the Place myſelf, but would walk about with him; and we agreed upon the Places where we thought it neceſſary Centinels ſhould be put. Upon coming into the little Hall again, I was taking Leave of the Raja, who preſſed me to return to him as ſoon as poſſible. I called to Mr. Stalker to come away; and the Raja jumped up eagerly, and requeſted that I would permit Mr. Stalker, and the young Mowlavy (I had Two Mowlavies in my Service), to ſtay with him, for that he was acquainted with them perſonally, and while they were preſent and with him, he felt aſſured that he ſhould ſuffer no Inſult nor Injury—no Inſult. Mr. Stalker ſaid, he would readily ſtay. I returned to the Governor General to make my Report.

Q. Whether you gave any Directions that the Servants of the Raja ſhould be diſarmed?

A. I don't know whether I did mention or not, that they were to turn out all but Eight or Ten Servants, and diſarm thoſe that remained.

Q. What was the Name of the Place where all paſſed which you have deſcribed?

A. The

A. The Shewallah Ghaut.

Q. What became of thoſe Two Perſons, Lieutenant Stalker and the Mowlavy, who were left with the Raja?

A. They were both ſlain.

Q. Upon the ſame Day?

A. Upon the ſame Day.

Q. In that very Place?

A. In that Place, in the Inner Court.

Q. What Time of the Day was it when you left the Raja and thoſe Two Perſons with him?

A. I ſhould imagine it might be about Ten o'Clock in the Morning; for when I went to the Raja I had not breakfaſted.

Q. What was the Name of the other Officer who commanded the other Party?

A. Symes, I believe it was;—Lieutenant Scott, Lieutenant Symes, and Lieutenant Stalker.—I did not ſee Lieutenant Symes there; he was not at Mahadew Daſs's Gardens when the Company marched; whether he rode after them, and did join them, I cannot tell.

Q. In what Part were the Two Companies placed in this Incloſure?

A. I muſt deſcribe the Place, and I am afraid I ſhall be tedious in it.—It was upon the Banks of the River, ſituated as a Terrace, perpendicular from Steps that went down to the Water, I ſhould ſuppoſe about Twenty-five or Thirty Feet: The Inner Incloſure, which was upon this Terrace, might be a Square of ſomething leſs than the Area of this Court; there was a ſmall Building in the Middle, upon Eight Pillars, and at this Time hung with Cotton Purders or Curtains. On each Side of this there was a ſmall Hall, open, with Two Pillars in Front, and a ſmall Room at each End of it. At the End oppoſite the River, which was made the Square, there was a cut Stone Wall, cut into Shapes and open, latticed. This ſtood about Four or Five Feet higher than the other Incloſure, which was about Three Times its Size; not a regular Figure, but the whole ſurrounded, excepting to the River-ſide, by a Wall, as I ſhould judge, of Fifteen Foot high.—The Two Companies, when I left the Place, were ſtationed in the Outer Incloſure, and the Officers, ſome few Orderlies, and the Raja, were in the other.

Q. What Diſtance was the Shewallah from Benares?

A. I ſhould think it muſt be about a Mile and a Half from Mahadew Daſs's Garden, that was cloſe to One End of Benares.

Q. Mahadew Daſs's Garden was the Quarters of the Governor General?

A. It was the Houſe of the Reſident, where the Governor General was at that Time.

Q. Whether any Thing that paſſed in the Place where the Raja was, could be ſeen and heard by the Perſons on the Outſide of the Outward Court?

A. Certainly impoſſible.

Q. How long was it before you received the Accounts of the Maſſacre?

A. I believe it muſt have been about Two o'Clock. It was at the Beginning of Dinner, and I believe we dined about Two.

Q. What Number of Perſons were there deſtroyed at that Place?

A. There was a Return made to the Governor General, and I believe it was 206 killed and wounded; but I would not ſay as to any particular Number.

Q. Killed and wounded?

A. Killed and wounded.

Q. Do you remember, before receiving the Accounts of the Maſſacre, receiving any Meſſage, and ſending any one back to the Raja at this Place?

A. I believe that there were at leaſt Four Meſſages paſſed between.—I think Four Meſſages came from Lieutenant Stalker, before we heard of the Maſſacre.—I am not certain how many.—The firſt, I remember, was only to ſend Breakfaſt.

Q. What was the ſecond Meſſage, and by whom ſent?

A. The ſecond Time he wrote, he ſaid there were armed Men croſſing from Ramnagur in ſeveral Boats; and that he was ſurprized to find the Two Companies commanded by Lieutenant Scott were completely without Ammunition; and deſired ſome to be ſent immediately.

Q. What was done in conſequence?

A. An Order was ſent to Meerwaddy, where Colonel Popham's Encampment was, ordering Ammunition, and a Company of Seapoys under Lieutenant Burrel as its Eſcort, to proceed immediately to the Two Companies at Shewallah.

Q. Was that Order executed?

A. Lieutenant Burrel marched to Shewallah, and about the Diſtance of Two or Three Hundred Yards from there was oppoſed by about Two Thouſand, as I underſtood, of Cheit Sing's Troops,

Troops, who would not ſuffer him to proceed to the Incloſure.—Lieutenant Stalker had at this Time written another Note, ſaying, that there was a Tumult without the Gate, and preſſing the Ammunition to be forwarded to him.—Upon Lieutenant Burrell's being oppoſed, he wrote a Letter in Pencil to Colonel Popham, ſtating that he was oppoſed, and wiſhing for Orders, aſking his Orders, whether he was to force his Way, or not?—An Order was written by Colonel Popham, ordering him at all Events to make his Way good to the Place. At the ſame Time Mr. Haſtings, the Governor General, (I ſhould have ſtated before, that there was a Letter from the Rajah to the Governor General), called for a Moonſhee to write to the Rajah. At this Time the Durbar was up, and all the People, the Mutſuddies and People who came to pay their Reſpects to the Governor General, left the Houſe. I believe I ſaid, if we cannot find any body to write the Letter, it is beſt to ſend a verbal Meſſage. Whether I gave the Meſſage to the Chubdar, or whether Mr. Haſtings gave the Meſſage to the Chubdar, I am not aſſured; or whether we did not both ſpeak, from being anxious at the Moment; but he was ordered to go to the Rajah, and to tell him, that if any Blood was ſpilt, European or Seapoy, the Fault would be conſidered as his, and that he would anſwer for it.—He and the Man who carried the Note, the Order, the Meſſage, to Lieutenant Burrell, mounted their Horſes at the ſame Time, rode together to Shewallah, to where the Company commanded by Lieutenant Burrell was oppoſed. The Chubdar ſaid, he had his Meſſage from the Governor General, and that he would go in firſt to ſpeak to the Rajah.—The Rajah's Troops knowing this Man to be a Man that always carried the Letters from the Reſident to the Rajah, being a Man well known, he was ſuffered to paſs unmoleſted through.—When he got into the Door, Lieutenant Burrell immediately advanced, and the firſt five Steps they made, received the Fire from moſt Part of the Rajah's Troops that were drawn up before the Door. At this Time the Chubdar had been to Lieutenant Stalker, and told him, that he had a Meſſage to deliver to the Rajah, and was told by Lieutenant Stalker to deliver it.—The Fire on the Outſide was the immediate Cauſe of the Attack within; for, contrary to the Orders I had given, the Officers had admitted Munnihar Sing, a Relation of the Rajah's, and his Son Nuncoo Sing, with a Force ſufficient, added to the Number of the Rajah's Followers who were in before, to complete the Deſtruction of this Detachment, and of its Officers.

Q. *(By Managers.)* Where was you during that Time?
A. At Mahadew Daſs's Garden.

Q. That was on the other Side of the River?
A. No.

Q. *(By a Lord.)* You ſaid the Durbar was up, what is the Meaning of the Durbar?
A. An Aſſembly of People that come to pay their Reſpects to the Governor General, or to any other Perſon of high Rank in that Country.

Q. *(By the Managers.)* Was you at the Spot where the Tranſactions laſt alluded to paſſed?
No Anſwer.

Q. *(By Counſel.)* Whether ſome of the Tranſactions you have ſpoken of were the Report, at the Time, of the Perſon employed in the Buſineſs?
A. What I have recounted is merely the Account of Lieut. Burrell, who commanded, and the Accounts of an Orderly of Lieut. Stalker, who was with his Maſter, and who was cut down at the Time, but recovered. I made Inquiry from the Moonſhy of Lieut. Stalker, I believe a well informed Man; and I have not the leaſt Doubt of the Truth of every Thing I have ſtated.

Q. *(By the Managers.)* Whether or no the Perſon, the Orderly, who was cut down, has not made a Depoſition to that Effect?
A. I believe there is a Depoſition of the Orderly, but I do not know that I have read it over lately.

Q. *(By Counſel.)* With reſpect to the Chubdar who was ſent with the Meſſage, what was his Rank and Situation,—whether he was one of the vileſt of Mankind?
A. He was a Bramin, an old Man between 60 and 70, and I ſhould hardly think he would have ventured to give an improper Meſſage, or have inſulted Cheit Sing, when Mr. Stalker, my intimate Friend, was by, and a confidential Servant of mine, Moolavy, that muſt have informed me if he had been guilty of any Inſult.—He was the Man who had always gone with Letters or Meſſages to the Rajah: A Man of the ſame Rank as a Servant, came from the Rajah; and it certainly could have been no Inſult in ſending this Man to him.

Q. Had this ſame Perſon of the Name of Cheit Ram been conſtantly employed in Meſſages to the Rajah without any Sort of Objection or Inſult?
A. He had moſt undoubtedly, not only by me, but by Mr. Graham, whoſe Servant he was before he came into my Employ.

Q. Was he a Perſon of as high Caſt as the Rajah himſelf?
A. He certainly was of higher Caſt than the Rajah Cheit Sing.

Q. Whether

Q. Whether any of the Populace of Benares were preſent, or at the Maſſacre, or quitted Benares afterwards?

A. I never heard they did, and I believe they did not. I believe the People who oppoſed Lieut. Burrell, were Forces in the regular Pay of the Rajah Cheit Sing.

Q. The Account of the Maſſacre came about Two o'Clock?

A. Yes, the wounded Man came to us about that Time.

Q. What became of Mr. Haſtings after the Maſſacre—how long did he continue at Benares, at Mahadew Daſs's Garden?

A. The Maſſacre happened on the 16th of Auguſt 1781, and I believe we left Mahadew Daſs's Garden on the 21ſt of the ſame Month.

Q. What was the Conduct of Cheit Sing after the Maſſacre of Shewallah?

A. He fled that Evening to Lutteefpore.

Q. Speaking generally, was the Country of Cheit Sing in a State of Rebellion immediately after that?

A. Immediately. We did not receive the Poſt the Night after: All Communication was cut off, and prevented coming to or leaving Benares; that is, we ſent it, but the Hircarrahs were put to Death.

Q. Did you go with Mr. Haſtings to Chunar, when he went to Chunar the Evening, the Night, of the 21ſt?

A. I did.

Q. The Reſt of the Engliſh Gentlemen went with him, and the Troops ſuch as you had?

A. Yes—on the Evening of the 21ſt.

Q. What Time did you arrive at Chunargur?

A. At Break of Day the next Day.

The Witneſs was directed to withdraw.

Then the Houſe adjourned to the Chamber of Parliament.

Die Mercurij, 16° Maij 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant they might proceed with their Evidence.

The Counſel for the Defendant deſired Mr. Markham might be again called in.

Mr. Markham was accordingly called in, and examined as follows:

Q. What is the Diſtance of Ramnagur from the Place called Shewallah Ghaut?
A. About two Miles.

Q. Separated by the River?
A. On the oppoſite Shore of the River.

Q. In an Affidavit it is ſtated, that Munnihar Sing and Nuncoo Sing were among the Perſons that committed the Slaughter; were they related to the Rajah Cheit Sing?
A. I believe as Second Couſins.

Q. Do you know a Perſon of the Name of Senamur Sing?
A. I do not recollect him.

Q. Was Saddanund a Perſon alſo mentioned as being there in any Office about the Rajah?
A. He was Buxy to the Rajah, or Treaſurer.

Q. It is ſtated that ſeveral of the Rajah's People were ſeated without the Purdahs; what is the Meaning of that Word, Purdahs?
A. Curtains made of Cotton ſtuffed with Wool, theſe particular Purdahs were.

Q. In what Part of the Building were they?
A. I deſcribed a Building in the Middle of the Square, that ſtood on Eight Pillars,—ſupported by Eight Pillars; it was there that this Place was hung with theſe Purdahs.

Q. It is ſtated, that Intelligence was brought to the Rajah, that another Engliſh Company of Seapoys were coming from Meerwaddy, what Place is that?
A. There is a Building, and what in India is called a Tank, a Piece of Water; and that was the Place where Major Popham's Detachment was ſtationed?

Q. Were any of the Perſons who were concerned in the Maſſacre of Shewallah ever ſent by the Rajah for Puniſhment? Munnihar Sing, or Nuncoo Sing, or any of the Perſons concerned in the Maſſacre—were they ever ſent to the Engliſh to be puniſhed for the Murder?
A. Certainly not.

Q. Did they continue to be employed about the Perſon of the Rajah?
A. Munnihar Sing died, I believe, in the Courſe of five or ſix Days after the Maſſacre at Shewallah; whether from a Wound received, or not, I do not know; I do not recollect.

Q. With reſpect to Saddanund, and Nuncoo Sing?
A. Saddanund was employed, and I believe Nuncoo Sing.

Q. Did you underſtand by what Means the Military of Cheit Sing were aſſembled round Shewallah?
A. I underſtood that immediately on my quitting the Rajah, Saddanund wrote over to Ramnagur to Sujaun Sing, ſtating the Affair, and deſiring Troops immediately to be ſent—immediate Aſſiſtance.

Q. Whether

Q. Whether the Intelligence which you deſcribe yourſelf to have received at the Time of what paſſed at Shewallah was communicated to Mr. Haſtings, and the Circumſtances of the Maſſacre at Shewallah?

A. I believe, I do not ſpeak to a Certainty, but I believe a regular Report was made to Mr. Haſtings by Colonel Popham.

Q. Beſides that, were the other Particulars you have deſcribed notified to Mr. Haſtings?

A. Moſt certainly; at the ſame Time there were various Accounts of it. I have ſtated that which I believed to be the moſt probable.

Q. There is one Circumſtance with reſpect to a Letter ſent by Mr. Haſtings, prior to the Maſſacre, to Cheit Sing; who was the Perſon that delivered that Letter to the Rajah, by whom was it ſent,—a Letter of Accuſation againſt the Rajah?

A. I delivered that Letter myſelf.

Q. Do you know whether Perſons of Rank in the Country of Cheit Sing had been arreſted by Cheit Sing himſelf?

A. I believe Rajah Zullum Sing to have been arreſted by Cheit Sing; and I heard,—it was before the Time that I was at Benares,—that Munnihar Sing had been arreſted by him.

Q. *(By the Managers.)* Do you know it of your own Knowledge?

A. I believe I ſtated, it was before my arrival at Benares.

Q. *(By Counſel.)* Whether you remember the Murder of Mr. Hooper; the Circumſtances of it?

A. I do.

Q. What Day was that, and where?

A. I believe it was the ſame Day that Captain Mayaffre was defeated on the other Side of the River. I was to have gone to the oppoſite Shore of Ramnagur with Major Gardiner; merely accompanying him, he going to obſerve whether a Mortar Battery would reach acroſs the River to Ramnagur; it ſo happened I did not leave my own Houſe at the Time he did, but I arrived within ten Minutes of the Rajah's People taking Poſſeſſion of Mr. Hooper's Boat, and juſt as the People who had eſcaped from it reached the Shore; Mr. Hooper was murdered at that Time.

Q. What Place was that, whereabouts?

A. Exactly oppoſite to Ramnagur.

Q. Who commanded at Ramnagur at that Time?

A. I heard that Sujaun Sing had the Command: He was Brother to the Rajah.

Q. Ramnagur was poſſeſſed by the Rajah's Military Force at that Time?

A. No Doubt.

Q. Do you know any Thing of the Murder of the two Soldiers of Major Crabb's Detachment?

A. No, I do not.—Their Muſkets were afterwards brought to me, but that had nothing to do with the Murder. I heard, afterwards, ſuch Murder had been committed at Googegunge.

Q. Is Colonel Crabb living or dead?

A. Really I don't know.

Q. Do you remember where the Father of the young Moolavy (who was left at Shewallah Ghaut by Cheit Sing's Deſire) was murdered?

A. The Father and the adopted Son, for he was an adopted Son, were confidential Servants of mine.

Q. What became of the Father?

A. In the Evening that we left Benares, I ſent Hircarrahs to him, and to two or three other People, acquainting them with the Intention of moving immediately, and deſiring them to haſten to us. The Hircarrahs, from Fear, I believe, did not carry that Notice to the old Moolavy,—from Fear of being left behind: He was taken the ſame Night by the Aumean of the Town, and ſent Priſoner to Ramnagur, whence he was ſent in Irons to Lutteefgur; and on the Rajah's going to Bidjegur, he carried him Priſoner along with him. He was confined in the Fort of Bidjegur, and the Day before the Rajah left Bidjegur, or the Night before, a Man entered the Priſon, and told him the Rajah intended to preſent him with a Duſallah, a Pair of Shawls, a Mark of Honour, and to employ him to mediate for him through me to the Governor General. The old Man ſaid the Hour of his Death was not far off, and accompanied them to the other Priſoners. They carried him ſome few Paces down the Hill, and put him to Death. His Remains were there when our Troops entered the Fort.

Q. *(By the Managers.)* How much of this do you know of your own Knowledge?

A. I never was in Confinement to Cheit Sing myſelf.

Q. *(By a Lord.)* What Knowledge have you of any Part of this?

A. I was informed by the Officers, that they had ſeen his Remains; and another diſtant Relation of his, named Syed Mahomet, went from Benares to bury them.

Q. When was this Information conveyed to you?
A. After the Capture of Bidjegur.

The Managers for the Commons ſubmitted to the Houſe whether this was Evidence.

Q. *(By Counſel.)* Was this Intelligence of the Deſtruction of this Perſon communicated to Mr. Haſtings?
A. Mr. Haſtings certainly knew it.

Q. What was the Day of the Retreat to Chunar?
A. The 21ſt.

Q. What was the Reaſon of your retiring from Benares to Chunar?
A. We expected an Attack that Evening from Ramnagur, from whence my Hircarrahs brought me Intelligence that Sujaun Sing intended to come over with a large Body of Men, and two Pieces of Artillery.

Q. Was it intended to go to any other Place before the Reſolution was formed of going to Chunar?
A. Mr. Johnſon had perſuaded Mr. Haſtings, I believe, at firſt to think of Juanpore as the Place of his Retreat, where he might be protected by the Nabob Vizier.

Q. Why did not you go to Juanpore?
A. As ſoon as the Knowledge of this Intention got abroad, the Perſon who had the Charge of the Poſts, under myſelf, informed me, that large Bodies of Men were upon the Road from the Fyzabad Country to aſſiſt Rajah Cheit Sing; and that the Rajah immediately, on the Day of his breaking his Arreſt, had ſent Accounts by Relays of Horſes (for he had Horſes at various Places upon the Road) of the Event.

The Managers for the Commons ſubmitted that this was not Evidence.

The Managers for the Commons were informed that the Evidence now produced was tendered to account for the Conduct of Mr. Haſtings.

The Witneſs ſaid,

I certainly communicated every Thing I heard to Mr. Haſtings.

Q. *(By the Managers.)* You ſpeak of the Poſts under your Command, was you in any Military Command?
A. I was Poſtmaſter at Benares—Deputy Poſtmaſter.

Q. *(By the Counſel.)* On what Day did Mr. Haſtings and you return to Benares after the Rebellion was principally quelled?
A. To the beſt of my Recollection on the 28th of September.

Q. Do you remember a Proclamation being iſſued ſoon after your Return?
A. There was a Proclamation.

Q. Was it the one ſtated in the Benares Narrative?
A. I believe it was—but I cannot anſwer poſitively to that Fact; I did not hear it proclaimed.

Q. Was any Perſon puniſhed with the Loſs of Property or of Life, or baniſhed from the Country, except the Ring-leaders of the Rebellion, Cheit Sing, and his Brother Sujaun Sing?
A. Cheit Sing and Sujaun Sing were excepted by Name, I believe, in the Proclamation, and an Amneſty granted to every other Perſon, to the beſt of my Recollection; but I believe the Proclamation is upon Record.

Q. In what Manner was Mr. Haſtings received, upon his Return to Benares, by the People there?
A. The Town was perfectly quiet; we returned to our old Quarters, and the People of the Town came in with their Compliments, upon the Events that had happened from the Time we left them.

Q. Do you remember the Circumſtance of Mr. Haſtings and yourſelf walking through every Part of Benares unattended with Military Force?
A. I cannot ſay through every Part of Benares, but we walked into the Middle of the Town to the Biſſiſſur, or Biſhwar, a Hindoo Temple, and Mr. Haſtings had directed his Attendants to ſtay behind.

Q. Was he in any Reſpect moleſted or inſulted by any Perſon whatever?
A. By no Means.

Q. From

Q. From what you obſerved of the Conduct of Cheit Sing antecedent to the Rebellion, if a favourable Opportunity preſented itſelf of caſting off his Allegiance to the India Company, do you believe he would have availed himſelf of it?

A. I believe, that if by Fortune of War our Affairs in India had been very much reduced Cheit Sing would have ſeized the Opportunity, and, if he could, would have made himſelf Independent.

Q. (*By Counſel.*) Do you remember the Appointment of Mehipnarrain?

A. I certainly was with Mr. Haſtings at Benares at the Time.

Q. In what Degree of Kindred was Mehipnarrain to Bulwant Sing?

A. Grandſon, by his Daughter.

Q. The Legitimate Grandſon?

A. Yes.

Q. Cheit Sing was not ſo?

A. He was not Legitimate.

Q. Do you know whether the Appointment of Mehipnarrain was with the Approbation of his Mother, the Daughter of Bulwant Sing, and his Grand-mother Golaub Koer?

A. It was with their Approbation, and to the beſt of my Recollection by a Writing, they gave up whatever Rights they might have to Mehipnarrain.

Q. In what Manner was the Tribute ſettled?

A. It was ſettled at 40 Lacks annually.

Q. Was every Means taken to aſcertain the Amount of the Revenues, previous to the Settlement of the Tribute at that Sum?

A. Before Mr. Haſtings's Arrival at Benares, I had made an Inquiry into the Revenue of the Zemindary, and gave Mr. Haſtings a Statement of the Revenue upon which the Country was ſettled; and I have Reaſon to believe that that Statement could not be very wide of the Truth.

Q. What was the Amount of the Revenue by that Inquiry?

A. I believe it is already in Evidence—it is printed.

Q. In the Benares Narrative?

A. Yes.

Q. A Part of the firſt Year's Tribute was excuſed him, on Account of the Troubles: how much was it?

A. On Account of what they call Pymally, which is the Damage that Troops do in a Country marching through it—on Account of ſeveral of the old Aumils having fled at the late Seaſon of the Year at which it was taken, they demanded 6,66,666 Rupees, ſo that the Balance remaining was 3,33,333 Rupees.

Q. Was Mehipnarrain a Minor at the Time of his Appointment?

A. I believe he was about the Age of 18; I am not certain.

Q. Who was the Perſon appointed Naib or Steward to manage the Country for him?

A. His Father Baboo Durbedjy Sing.

Q. Was the Witneſs acquainted with Jaggernaut, to whom a ſmall Penſion was granted?

A. No, I was not.

Q. Did you know Bundoo Khan, another of them?

A. I did.

Q. Had Bundoo Khan rendered any Service to the Britiſh Government during the Rebellion?

A. Moſt certainly, very eſſential Service. I believe his Services are ſtated in the Narrative.

Q. Is that Statement of it true according to your Knowledge?

A. I believe ſo; I was not with the Army, but I have heard———

The Managers for the Commons objected.

Q. Did you know of the Statement of the Duties?

A. I did.

Q. In what Way were the Duties impoſed antecedent to the new Settlement, by the Weight or by the Value?

A. It was by the Tunca, or Bullock Load, or ſuppoſed Bullock Load, which was rated at ſix Maunds.

Q. Without regard to the Value of the Commodities?

A. The Duties were very arbitrary, and ſo ill managed, that they certainly were oppreſſive.

Q. (*By the Managers.*) How do you know that the Duties were arbitrary?

A. From

A. From the very many Complaints made to me by Merchants, and Engliſh Gentlemen that paſſed through the Zemindary, in my official Situation as Reſident—I wrote to the Rajah, in order have a proper Diſtribution of it: I then wrote to the Rajah of the Miſbehaviour of the Officers; I believe I may ſay, he always ſettled it properly upon that Repreſentation.

Q. *(By Counſel.)* What was the eſtabliſhed Mode of impoſing the Duties; by what Rule were they eſtimated antecedent to the Settlement?

A. I have mentioned already, that it was by the Tuncas by Weight, (and not *ad valorem*, not according to the Value of the Goods,) which in many Inſtances was vaſtly oppreſſive. There was another Thing which was oppreſſive, that the Duties were collected at Eight Places in their Paſſage from Chouſar to Mirzapore, the extreme Points of the Rajah's Territories.

Q. What Alteration was made by the new Settlement to remedy theſe Evils?

A. In the firſt Inſtance, the Duties were laid upon the Value of the Commodity of the Merchandize; and in the ſecond, inſtead of paying Duties at Eight different Places, there were Three Places eſtabliſhed at which Duties were to be paid; and having paid at One of thoſe Chokies, One of thoſe Stations, it paſſed the other Two without further Moleſtation—When I ſay it paſſed, the Boat paſſed.

Q. Upon producing a Voucher of Payment?

A. Yes—upon producing Vouchers.

Q. In fixing the Value there was a Table of Rates made?

A. I made it myſelf.

Q. Were the Merchants conſulted in making that Table of Rates?

A. They were—I could not have made it without them.

Q. Was it made with their Approbation and Aſſiſtance?

A. That is a Table of Rates, I mean the average Value of the different Goods which ever paſſed through the Zemindary.

Q. That average Value was fixed by a Committee of Merchants then?

A. Four or Five of the principal Merchants of the Town aſſiſted me in making that Table of average Rates.

Q. Do you remember a Circumſtance that the New Duty, which was 5 per Cent. was found to bear too hard upon particular Commodities?

A. To the beſt of my Recollection that was a Thing before the Impoſition of the New Duties, and upon which I applied to the Board at Calcutta, and they agreed with me to take off $2\frac{1}{2}$ per Cent. upon certain Articles ſpecified before to the Court, certain Articles of very high Value, ſuch as Spices, and others.

Q. Had the New Duties been begun to be enforced prior to that Alteration?

A. I am pretty ſure that they had not—pretty certain they had not—but I cannot find that Table of Duties. I have inquired for it from Mr. Hudſon, who has the Eaſt India-Houſe Papers, and I do not find that they have my comparative Statement.

Q. The Alteration ſpoken of by you was in April 1782—the Queſtion is, Whether, prior to 1782, they had not taken place?

A. To the beſt of my Knowledge they had not—I believe, I may ſay they took place the 26th of April 1782.

Q. After that ſecond Alteration had been adopted, relieving them from 5 per Cent. to $2\frac{1}{2}$, after the Alteration had taken place, was there any Complaint of the Duties impoſed by any of the Merchants or Perſons concerned?

A. I never heard of any; for to prevent any Miſconduct of the Officers appointed to collect the Duties, I ſtationed a Perſon at my own Expence at Mirzapoor, and at Gauzepoor, to inform me if there were any Complaints made, or any Oppreſſions.

Q. Whether the Plan upon which the Duties were ſettled was ſuch as was ſatisfactory to the Merchants after that Alteration was made?

A. I never heard that it was complained of; and I believe the ſame Plan continued a long Time after I was Reſident; and whether it does not at preſent I do not know.

Q. You ſpoke of there being Eight Stations at which Duties were collected in the Time of Cheit Sing: Were Duties exacted and paid at each of thoſe Places?

A. The Duty was collected at each of thoſe Places.

Q. Do you remember any oppreſſive Duties that were aboliſhed upon the new Settlement?

A. There were Duties upon Pilgrims which were aboliſhed, and ſome others, which I believe are ſtated, and before the Houſe in Evidence.

Q. What was the Effect of aboliſhing thoſe Duties?

A. The Mahrattas more particularly were very thankful for it.

Q. Was

Q. Was there afterwards a greater Reſort of Pilgrims to Benares than before, after the Abolition of theſe Duties upon them?

A. I did not reſide at Benares long enough after that Time to give a decided Opinion upon the Matter; but I ſhould ſuppoſe there muſt.

Q. Whether the new Naib, the Steward appointed to manage the Country, proved a fit Perſon for that Truſt, or not?

A. He certainly was rapacious and oppreſſive; he appointed Aumils that were not reſponſible Men; and endeavoured, in the Year that he was Naib, to ſqueeze as much from the Country as he poſſibly could.

Q. Did it fall within the Compaſs of your Office to know how the Duties were paid in?

A. When the Ryots could get no Redreſs from the Naib, I am ſpeaking correctly when I ſay, they came in Hundreds with Complaints to me. I had no Authority to redreſs their Grievances. I uſed to ſend them back with a Letter to the Naib, requeſting that he would enquire into the Complaint.—Complaints were more particularly made againſt an Aumil of the Name of Zullim Sing, Boniade Sing, Rutten Sing.—There were many more; I only mention theſe as Inſtances.

Q. Do you remember repreſenting the Conduct of Durbedgy Sing in your Letters of the 24th of October 1782, and of the 12th of November 1782?

The Witneſs deſired the Book containing thoſe Letters might be ſhewn him. The printed Minutes, Pages 300, 301, were accordingly ſhewn to the Witneſs, and he ſaid,

A. Yes, thoſe are my Letters. I have read them over before.

Q. Whether you, at that Time, believed the Repreſentations you made to be true?

A. I certainly would not have repreſented a Thing to the Board, if I had not been confident in my own Mind that it was true.

Q. Had you any Reaſon afterwards to doubt the Truth of them?

A. I had not.

Q. Were there any Arrears of the Revenue due from Durbedgy Sing to the Company?

A. To the beſt of my Recollection he made a Demand of 2,58,000 Rupees, under the Name of Deductions. Beſides which, upon the 12th of November, the Day on which he was confined, he owed (I muſt put it under a general Word) a large Sum to the Company, perhaps Thirty odd Thouſand Pounds. He had paid 27,27,000 Rupees. He demanded a Deduction of 2,58,000 —and the Balance between thoſe Two Sums, and 33,33,000 Rupees he was indebted to the Company at the Time of his Arreſt.

Q. What was the Amount of the Kiſt due for the laſt Month of the Year?—Do you remember it—the Bahadun Kiſt?

A. I do not exactly recollect the Sum; but I believe it was about Eight Lacks of Rupees. I believe it is ſtated there.

Q. That was due the 4th of September 1782?

A. Due the 20th of September.

Q. How much of that Kiſt had he paid on the 12th of November 1782, when he was impriſoned?

A. I believe you will find I have anſwered that in a circuitous Manner.

Q. Do you now remember how much of that Kiſt was left unpaid at the Time of his Impriſonment?

A. I have ſtated the Balance in a circuitous Way.—I cannot exactly ſay what was unpaid.

Q. What is the uſual Mode by which Balances are recovered from Perſons who are indebted to the Government in that Country in general?

A. I believe, in general, by confining their Perſons, if they will not otherwiſe pay. It is as gentle a Mode of exacting it as can be.

Q. Had you any Doubt of the Ability of Durbedgy Sing to have paid the Debt he owed?

A. I was confident that he had collected much more from the Country than the Sum he was indebted to the Company.

The Managers for the Commons objected to the Evidence.

Q. (*By a Lord.*) What Grounds had you for entertaining that Confidence?

A. It was afterwards proved to me by his own Papers.

Q. Were thoſe Papers, Papers that came into your Office in the Courſe of your Employment?

A. When I ordered the Guard upon Durbedgy Sing, I likewiſe ſent a Letter to him, deſiring him to ſend his Mutſuddies to me with the Papers.

Q. And

Q. And they were tranſmitted to you?
A. They came to me.

Q. What became of thoſe Papers afterwards?
A. They were afterwards, upon a Reference between Jagger Deo Sing and Durbedgy Sing, to Ally Ibrahim Cawn, who was the Arbitrator, I believe; and I believe they were in his Hands when I left the Office.

Q. Were they Papers that were tranſmitted to Government?
A. No, I don't recollect that they ever were tranſmitted to Government. If it would be any Satisfaction, I could produce the Account that I drew out from theſe Papers at the Time.

The Managers for the Commons objected to the Evidence.

Q. Were thoſe Extracts made by you officially?
A. They were not done by my own Hand.

Q. Were they made in your Office?
A. Yes.

Q. And for the Purpoſe of making Repreſentations to Government about them?
A. For the Purpoſe of knowing whether Durbedgy Sing could pay the Money that he ought to have done, or whether he could not.

Q. Was that to be repreſented to Government, or not?
A. I had repreſented to Government, that he did not pay what he ought to have paid. I ſecured his Perſon for the Non-payment of it, and I could not get the Papers till I had ſecured his Perſon; for he would not have given them up to me.

Q. Was that in the Courſe of your Office to do?

The Managers for the Commons objected.

Q. Did you compare thoſe Extracts with the Papers?
A. I do not read Perſian nor Hindooſtanny. I ſpoke the Hindooſtanny very well, but I could not read it; therefore I could not compare them.

Q. Was any Repreſentation made to the Government upon that Subject?
A. I do not recollect writing to Government upon it; becauſe, in the Beginning of April, Durbedgy Sing paid up his Arrears to the Amount of the Deductions which he required. With reſpect to the Deduction, I had no Orders from Government how far they would or would not allow of them; and I releaſed him accordingly.

Q. How long was it before he paid up theſe Arrears, after you had got Poſſeſſion of thoſe Papers?
A. He was arreſted, I think, on the 12th of November, and I think he was releaſed the firſt Week in April.

Q. That was after he had made the Payment?
A. It was after he had made the Payment; as ſoon as he had made it.

Q. To whom did he make the Payment?
A. To myſelf.

Q. Was the Demand made upon him in conſequence of thoſe Papers being produced which you have been ſpeaking of?
A. He was a Defaulter in a certain Sum which he had agreed to pay to Government; and it was for that Sum that I arreſted him.

Q. And that Sum it was that he paid?
A. Yes. My Intention in getting the Papers was to have collected for him, to have exerted my own Influence to get ſuch Debts as were owing to him in the Country, that our Government might not ſuffer.

Q. Were the Papers delivered back to him afterwards?
A. It was after I left the Office. Immediately upon the Releaſe of Durbedgy Sing I left the Office of Reſident at Benares.

The Managers for the Commons objected to the Evidence on the Subject of the Papers in queſtion. The ſame was waived by the Counſel for the Defendant.

Q. *(By the Counſel.)* Whether you repreſented to the Board, that Durbedgy Sing had collected Forty Lacks in that Year?
A. I find in a Letter of the 12th of November, that I ſay, "I am confident, and hope I ſhall be able to prove, that he has collected at leaſt 40 Lacks from the Râje;" that is, from the Zemindary.

Q. Did

Q. Did you believe that to be true at the Time you wrote it?
A. I certainly did.

Q. Had you any Reaſon to diſbelieve it afterwards?
A. I had no Reaſon to diſbelieve it afterwards.

Q. The Amount he was to pay to Government was Thirty-three Lacks?
A. It was.—When I ſay he had collected Forty Lacks, there was a Debt due to him his own Son, Rajah Mehipnarrain, of ſomething about One Lack and Fifty-thouſand Rupees; another Debt owing to him from his Brother Baboo Seraub Cheit Sing, of One Lac Eighty Thouſand Rupees.

Q. I wiſh to aſk, whether frequent Applications were made to Durbedgy Sing for Payment before he was impriſoned?
A. Very many.

Q. Unſucceſsful?
A. Of courſe.

Q. Whether, in the Mode of Impriſonment, any Severity was practiſed upon this Perſon?
A. No Severity whatever, unleſs that of preventing the Eſcape of his Perſon—that cannot be called Severity.

Q. Deſcribe the Place where the Guard was put over him?
A. The Name of the Place was Petchas Moochin, which he had ſelected for his own Reſidence, and for the Tranſaction of his Buſineſs while he was Naib. It had a Garden belonging to it, ſurrounded by a Wall, and I ſuppoſe the Size of it might be that of Berkeley Square within the Rails. I don't know exactly how many Acres. The Guard were ſtationed without.

Q. He had the free Uſe, then, of his Houſe and Garden, his uſual Place of Reſidence?
A. Yes, he had.

Q. When you ſpeak of his having diſcharged, in the Month of April 1783, the Balance due from him, did it extend to the Claim of Deduction which he made; was that Point ſettled at that Time?
A. It was not ſettled at that Time; but he gave a Muchulka, or Bond, that when the Council had decided upon it, if any Part of thoſe Deductions were not allowed, he would make it good; —that he would pay ſuch Sum as was not allowed.

Q. You have ſpoken of the State of the Police of Benares antecedent to the new Settlement: Whether any Steps were taken to put the Place upon a better Footing after the new Settlement, or upon the new Settlement?
A. Mr. Haſtings appointed new Courts of Juſtice, and Ally Ibrahim Khan was Superintendent of them.

Q. What was his Character and Conduct?
A. I believe Ally Ibrahim Khan to have been as worthy and as good a Man as could have preſided over a Court of Juſtice in any Country.

Q. What was the State of the Police of Benares after that Eſtabliſhment had taken place?
A. I never knew a better-regulated Police in any Town than there was in that of Benares.

Q. Were the Inhabitants of Benares ſatisfied with him and his Adminiſtration of Juſtice civil and criminal?
A. I believe moſt perfectly ſo.

Q. Was any conſiderable military Authority left with the new Rajah, Mehipnarrain?
A. He kept no Troops in pay, if that is the Meaning of the Queſtion, excepting ſuch as were abſolutely neceſſary for the Collection of the Revenue—too trifling a Number to be ſpoken of.

Q. Whoſe Troops garriſoned the Forts in that Country after the new Settlement?
A. There was a Body of our Seapoys under Captain Hook at Bidjegur, and a little Time after the Diſturbances were over, the Forts of Lutteefghur, Agoree, and the Reſt of them, were given up to the Raja, but he never garriſoned them.

Q. Who was the Perſon appointed to be the Naib or Steward of the Country when Durbidgy Sing was removed?
A. Baboo Jagger Deo Sing.

Q. Was he a Relation of the Family?
A. He was the Grandſon of the fourth Brother of Munſeram the Father of Bulwant Sing.

Q. Do you remember the Capture of Bidjegur in Nov. 1781?
A. I remember hearing of it.

Q. Did

Q. Did you ſee Panna, and the other Women of the Family of Cheit Sing, and receive them at Benares?

A. I had a Houſe prepared for their Reception; I did not ſee or receive them.

Q. Was every Attention paid to them upon that Occaſion?

A. Every Attention was paid to them.

The Managers for the Commons objected to the Evidence.

Q. Specify the Manner in which theſe Perſons were treated under the Engliſh Government, how long they ſtaid?

A. Mr. Haſtings was at Chunargur at the Time the Women came out of the Fort of Bidjegur, and I received a Letter from him, deſiring me to urge the Naib as ſtrongly as poſſible to ſend an inſtant Supply of Bearers and other Conveyances, (a Kind of Palanquin that Women travel in,) to Bidjegur, or the Village near it, where the Women were, which was done.—I remember another Inſtance, where the Goods captured at Ramnagur were ſold by Public Auction; I myſelf purchaſed the Picture of Cheit Sing done by an Engliſh Painter, and ſent it to the Wife of Cheit Sing at the Deſire of the Mother of Cheit Sing, through Mr. Jonathan Scott; I paid a Viſit to them at Benares, where they certainly acknowledged to me the handſome Manner in which they had been treated; ſaid, that they were ſenſible that the little Interruption given to them upon coming out of the Fort of Bidjegur, was a Miſtake of an inferior Officer, and in general thanked me for Kindneſs ſhewn afterwards. When they left Benares, I ſent Lieutenant Williamſon with a Company of Seapoys to the Confines of the Nabob's Dominions, where a Party of Madajee Scindia's, or Cheit Sing's People, received them, and ſhe wrote me a Letter of Thanks.

Q. In what Houſe was it that you viſited theſe Perſons?

A. In a Houſe prepared for them by the Direction of Mr. Haſtings.

Q. A proper Houſe for their Reception?

A. It was.

Q. Was it by the Deſire of theſe Perſons that they were eſcorted in the Way deſcribed by Lieutenant Williamſon to join Cheit Sing; did they deſire it themſelves?

A. They did deſire it; they were thankful for the Protection given to them.

Q. What was the Amount of the Fifteenth of the Prize Money paid to them; did you pay it yourſelf?

A. I received their Receipt for it, but I don't exactly recollect the Sum.

Q. About Two Lack and a Half?

A. Somewhere thereabouts.

Q. Their Silver Plate was given them too?

A. Yes.

Q. Do you know that Saadut Ally was removed on Purpoſe to make Room for them in that Houſe, which was the Houſe of their own Choice?

A. Saadut Ally did not live in the Houſe himſelf, but I believe ſome of his Women were in it.

Q. This was the Houſe they wiſhed to be in themſelves?

A. It was.

Q. That Houſe was evacuated entirely for their Reception?

A. It was.

Q. Do you remember the Circumſtance of the Officer's bringing a Sword and a Piece of Plate that was afterwards in your Poſſeſſion?

A. I was not at Chunargur at the Time Mr. Calcraft brought it, to the beſt of my Recollection; but a Sword and other Pieces of Plate were ſent to him by Mr. Haſtings to be returned to Major Popham.

Q. It was returned?

A. It was; I did ſend to Major Popham the Sword and the different Pieces of Plate.

The Counſel for the Defendant informed the Houſe, they had no further Queſtions to aſk the Witneſs.

The Managers for the Commons ſtated, that they were a little exhauſted; but if the Houſe, notwithſtanding, wiſhed to proceed, they would firſt aſk the Witneſs,

Q. What was the Nature of your Duty at Benares? What Office did you hold at Benares?

The Witneſs was directed to withdraw.

The Houſe adjourned to the Chamber of Parliament.

Die Martis, 22° *Maij* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid, Gentlemen, You who are of Counſel for the Defendant, will proceed in his Defence.

Then Mr. Markham was again called in.

Then the Managers for the Commons deſired the laſt Queſtion that was put to the Witneſs might be read.

The ſame was accordingly read by the Clerk as follows:

Q. What was the Nature of your Duty at Benares. What Office did you hold at Benares?

The Witneſs ſaid,

A. I was Reſident at Benares.

Q. How was you appointed?
A. By the Governor General and Council.

Q. Had you any Commiſſion?
A. My Appointment was notified to me by the Secretary of the Board.

Q. Had you any Inſtructions?
A. Whatever Inſtructions I had———

Q. Had you or not any Inſtructions?
A. I had, I think, Three Letters to Raja Cheit Sing from the Governor General; one reſpecting the Cavalry.

Q. The Queſtion is, Had you any Inſtructions relative to the Duties of your Office? Do you mean thoſe were the only Inſtructions you had?
A. If the Queſtion means, Whether in the Letter from the Secretary of the Board there were any Inſtructions for me, to the beſt of my Recollection there were none; there may be, but I don't recollect.

Q. *(By a Lord.)* Was there any formal Inſtrument that was called Inſtructions?
A. I do not think there was.

Q. Had you any other Inſtructions relative to your Conduct in the Reſident's Office at Benares except thoſe Three Letters you mentioned?
A. I had.

Q. What were they?
A. I believe I can beſt explain them by the private Paper of Memorandums given me at that Time by Mr. Haſtings.

The Witneſs produced a Paper, and deſired to know if he was to read it.

The Managers for the Commons being aſked if they wiſhed to hear it read, made anſwer in the affirmative; whereupon the Witneſs read the ſame as follows:

Memorandum for Mr. Markham.

1. To demand the Arrears of his Malguzzary.
2. Punctual Payments of his Kiſts to the Day on which they are due.
3. To inſiſt on his punctual Obedience to the Order for us with a Corps of Cavalry.—He has anſwered the Letter—and offered 250.
4. State of Duties required by the Board.

5. Cutwally to appoint a Perſon to attend, and take Minutes of the Proceedings—and inform the Rajah, that it is expected that he will cauſe Juſtice to be adminiſtered, and pay more Attention to the Peace of his Country.
6. To afford his Protection to the Houſe of Gopaul Doſs.

Then the Witneſs ſaid,

There are Four Lines which are ſcratched out, but which I can read, if neceſſary.

Q. If they were Part of your Inſtructions, you will read them?
A. They were not. It is only to inquire of Mr. Fowke ſome Particulars.

Then he proceeded to read as follows:

To give a Preference to that Houſe in Bills of Exchange.
— Rumchund, the Gomaſtah of Gopaul Doſs, deſires to be employed in the Proviſion of Salt-petre in the Room of Doolumdaſs. In this, and every other Occaſion, I wiſh you to indulge that Houſe as far * it can be reaſonably expected, as it has been of ſignal Service during the War, both in furniſhing Remittance, and in the Conveyance of Speedy Intelligence.

* Sic in Orig.

7. Mr. Markham knows my Eſteem for Bavram Pundit, whoſe Family I recommend to his ſpecial Protection.
8. Shaſnee.

Then the Witneſs ſaid:

Mr. Haſtings had an Account, I believe, from myſelf, of a curious Copper Inſtrument that was found about 35 Feet under Ground, and wiſhed me to procure it for him. It was a Thing of about 1500 or 1600 Years old.

Q. (*By Counſel.*) Is that what you meant by the Shaſnee?
A. Yes.

Q. Were theſe all the Inſtructions that you had relative to the Nature and Duties of your Office?
A. I believe they were, excepting that as to thoſe Letters of the Board which were at Benares, and which has been ſent to Mr. Fowke. I was to act upon them as if they had been addreſſed to myſelf.

Q. Had you no other Inſtructions verbal or written from Mr. Haſtings before you left Calcutta?
A. I do not recollect that I had.

Q. Did Mr. Haſtings give you any Inſtructions, or any Explanations relative to the Nature of the Situation in which Cheit Sing ſtood, with reſpect to the Company?
A. I do not believe that he did.

Q. Did he give you any Inſtructions or any Information relative to the Diſpoſition and Character of Cheit Sing?
A. Mr. Haſtings was in general prejudiced in favour of Cheit Sing, and did not always, I believe, give that Credit to Repreſentations againſt him which he ought to have done.

Q. The Queſtion is, Not what Mr. Haſtings did, or did not, give Credit to; but, What Mr. Haſtings ſaid to you on the Subject?
A. I conſidered this as an Explanation of my own Anſwer.

Q. Did Mr. Haſtings give you any Inſtructions relative to the Conduct and Character of Cheit Sing?
A. I believe I have anſwered that Queſtion before.

Q. Did Mr. Haſtings give you any Information or any Inſtructions relative to your Conduct, with Reſpect to the Deſigns and the Character of Cheit Sing?
A. He did not.

Q. Did Mr. Haſtings communicate to you any Deſign or any Project which he might have of exacting a large Sum of Money from Cheit Sing?
A. He did not.

Q. Did he mention the Subject to you at all?
A. He did.

Q. Before he went up to Benares?
A. No.

Q. I am now aſking what paſſed before he went up to Benares?
A. No Intimation of the Kind.

Q. Did he inform you of any Thing reſpecting the Diſaffection of Cheit Sing?
A. No further than his not having furniſhed the Horſe on Mr. Fowke's Requiſition.

Q. Did he give you any Inſtructions where thoſe Horſe were to be ſent, or for what Purpoſe they were to be employed?

A. He

A. He did not.

Q. Did he give you any Directions how that Cavalry was to be paid?
A. He did not.

Q. Did he give you any Inſtructions to inform Cheit Sing, that that Cavalry was to be paid by the Company?
A. He did not.

Q. To what Place was it to be ſent?
A. I underſtood that he was to furniſh the Cavalry at Benares; but I never heard where they were to go from Banares.

Q. Was you inſtructed that Cheit Sing was to furniſh the Cavalry at the Town of Benares?
A. If he was to furniſh Cavalry at all, it muſt be there; but I never could ſuppoſe it would be Bidjegur.

Q. What Number was Cheit Sing to furniſh?
A. I do not believe that the Number was ſpecified; as well as I recollect, it was as many as could be ſpared.

Q. As you had no other Inſtructions than thoſe which you have now, ſtate what you conceive the Nature of your Office of Reſident to be?
A. I conſidered myſelf appointed to receive the Malguzzary of the Zemindary of Benares, and to tranſact any other Buſineſs in which the Board, or the Governor General, might think proper to employ me.

Q. Had your Office any Thing to do, and what had it to do with the internal Government of the Country?
A. I had no ſpecific Orders—I had no Orders to interfere in the Government of the Country—Does the Queſtion mean, whether it was the Duty of my Office?

Q. Inform the Houſe whether you conceived that it was a Part of the general Duty of your Office to interfere in the internal Government of the Country, and if it was, in what Reſpect?
A. I thought it my Duty to interfere whenever it was for the Benefit of my Employers. If any particular Point of Interference in which I ever interfered is put, I probably ſhall be better able to anſwer.

Q. Then you are underſtood to ſay, that you conceived yourſelf to have a general Power to interfere in the internal Government of the Country, whenever it ſuited the Intereſt and Advantage of the Company?
A. I never did interfere with the internal Government of the Country during Cheit Sing's Time; that is, I mean with reſpect to the Collections: With reſpect to the Police of the Town of Benares, I have; but I don't conceive that is a Part of the Queſtion.

Q. Was the Interference with the Police of the Town of Benares any Part of the Duty of your Office as Reſident?
A. I think it was, not only as Reſident, but as a Man. If a Murder is committed, I conſider it every Man's Duty to apprehend a Murderer.

Q. But do you conceive it a Part of your Duty as Reſident at Benares, to interfere with reſpect to the Regulation of the Police of the interior Part of the Country?
A. If the Court will recollect, in the Memorandums I have juſt read, there is a Direction for me, with Cheit Sing's Conſent, to appoint a Man in the Cutwally, to take down the Proceedings of the Court; and I carried a Letter to Cheit Sing, deſiring him to allow of it—ordering him to allow of it.

Q. Had you a Guard at Benares?
A. I had.

Q. What did it conſiſt of?
A. Two Companies of Sepoys, but they were never armed.

Q. Whoſe Sepoys were they?
A. They were raiſed by Lieut. Stalker, and paid by the Raja.

Q. What was the Expence of that Guard—the annual Expence?
A. I do not recollect the Expence, but believe it to have been the ſame as that of two Companies in our own Service.

Q. By whom were they commanded?
A. By Lieut. Stalker.

Q. By whom was he appointed?
A. By the Board, at my Requiſition.

Q. Under whoſe Orders were they?

A. Under

A. Under the Orders of the Reſident.

Q. Now, for what Purpoſe was that Guard given?
A. For my own Protection, and the Protection of my Houſe.

Q. For nothing elſe?
A. Not that I know of.

Q. Was not that Guard given to you for other Purpoſes than the mere Protection of your Houſe and Perſon?
A. I do not know that it was.

Q. How did you repreſent to the Governor and Council that that Guard was given to you?
A. That muſt be in Writing.

The Counſel for the Defendant ſaid, that if the Repreſentation was in Writing, they ſhould object to the Queſtion.

The Witneſs was aſked,

Q. Have you any Recollection of the Repreſentation you made to the Company concerning this Guard?
A. I certainly applied for Lieut. Stalker to command it. I do not recollect the Letter, nor is it likely I ſhould.

Then a Book endorſed, "Bengal Public Council, 12 February to 10 April 1781," was ſhewn the Witneſs, and he was aſked,

Q. Is that the Letter you wrote to the Governor?

The Witneſs read the following Extract:

Honble Sir and Sirs,

Raja Chyte Sing having offered me a Guard of two Companies of Sepoys of One Hundred Men each for my Protection, and that of the Town of Benares; I think it right to acquaint you with this Circumſtance, that if you think it proper, an Officer may be appointed to command them, as they may be uſeful at ſome future Period, if taught the Europeen Diſcipline.

Benares,
the 10th Feb. 1781.

I have the Honour, &c.
(Signed) Wm. Markham (a).

Then the Witneſs was aſked,

Q. Was that Guard ever employed in the Aſſiſtance of the Police of Benares?
A. It was.

Q. Under whoſe Orders was that Guard employed?
A. Under my Orders.

Q. How came they not to be armed?
A. I often requeſted the Raja to give me Muſkets for the Men—he ſent over ſome without Locks, others with Match Locks, upon which Account I never would accept of them, and they had only their Side-Arms—by Side-Arms, I mean Swords.

Q. Were they diſciplined?
A. It is impoſſible that they could be diſciplined completely, if the Queſtion means that. Lieut. Stalker, I believe, did his Endeavours to diſcipline them as far as he could, under ſuch Circumſtances.

Q. You went up to Benares in the Month of February in the Year 1781?
A. I did: I arrived, I think, on the 1ſt of February; I was there Three or Four Days before I took Poſſeſſion of it.

Q. And Mr. Haſtings came there in Auguſt?
A. Yes.

Q. You have ſaid Mr. Haſtings gave you no Information whatever of Cheit Sing's Diſaffection or Diſpoſition to rebel prior to your leaving Calcutta?
A. He did not.

Q. Did he ever give you any afterwards, and before he came himſelf?
A. When I met him at Boglepore.

(a) The above Letter is entered on a Public Conſultation, dated Fort William the 19th February 178[illegible]. "At a Council, preſent the Honourable Warren Haſtings, Governor General, Preſident; and Edward Wheeler, Lieutenant General Sir Eyre Coote, K. B. abſent on Command at the Preſidency of Fort St. George," and ſigned at the End,
"WARREN HASTINGS.
"EDWARD WHEELER."

Q. The

Q. The Queſtion is meant to confine it to the Time between Mr. Haſtings's leaving Calcutta, before the Meeting. Before you met Mr. Haſtings at Boglepore, had you received any ſuch uctions?

Before I met Mr. Haſtings at Boglepore, the only Inſtructions I had ever received, were to n exact Account of the Cuſtoms of Raja Cheit Sing's Country for the Time of his Arrival; lieve I have got the Letter upon that Occaſion.

Q. Is it in the public Correſpondence?
A. I believe not; I believe it has never been out of my Poſſeſſion.

The Witneſs produced a Paper indorſed, "Calcutta, Mr. Haſtings," and read e ſame as follows:

Dear Markham, Fort William, 28th May 1781.

ave determined to make a Viſit to Benares and Lucknow. I ſhall certainly leave Calcutta on the 15th of July, and as I mean to abridge the firſt Part of my Way, I may reaſonably hope to be with you within the Courſe of the enſuing Month.

Some Good I may be enabled by you to effect at Benares; and for that Purpoſe I wiſh you to prepare againſt my Arrival an Account of the Chokeys ſtationed within the Raja's Juriſdiction, the Sums for which they are reſpectively farmed, the State of this Department, the Manner in which the Duties are levied, the Checks eſtabliſhed againſt Exortions, whether the Collectors levy arbitrarily or by the Table of Rates, whether there are Exemptions, and in Favour of whom. I ſhould be glad to have an Account of the Quantities of the principal Articles of Merchandize tranſported through his Country either from or to this, and the preſent Table of Rates, with an Addition of the Prices made to it.

You will know whether any other Matters will require my Inſpection, and prepare for it accordingly.

I am,
Dear Markham,
Yours affectionately,
Warren Haſtings.

Then the Witneſs was aſked,

Q. Did Mr. Haſtings ever inform you, prior to the Meeting him at Boglepore, that he was determined to draw from Cheit Sing the Means of Relief for the Company's Diſtreſſes?
A. Before his Arrival at Boglepore he did not make any ſuch Communication to me.

Q. Did he ever inform you that he was determined to make Cheit Sing pay largely for his Pardon?
A. He did, on his Arrival at Boglepore, not before.

Q. Then you are to be underſtood, that upon this Subject, prior to your meeting Mr. Haſtings at Boglepore, he gave you no Intimation whatever of the Kind?
A. The Honourable Manager has ſtated it.

Q. Had you any Communication with Mr. Haſtings reſpecting Cheit Sing or his Deſigns, other than what appears upon the reſidentiary Correſpondence?
A. I certainly did communicate to Mr. Haſtings that I could not obtain any Cavalry from Cheit Sing; and I likewiſe mentioned to him the bad State of the Police of Benares.

Q. Is it upon the Correſpondence?
A. I cannot ſay.

Q. Is that all that you communicated to Mr. Haſtings reſpecting Cheit Sing, other than what appears upon the public Correſpondence?
A. I believe I did communicate to Mr. Haſtings Suſpicions that I had of Cheit Sing's Fidelity to us; I believe there is a Letter; I think I wrote him a Letter mentioning my Doubts of his Fidelity.

Q. At what Date?
A. There is ſuch a Letter I believe.

Then a Letter was ſhewn to the Witneſs by the Counſel for the Defendant, and he was aſked,

Q. Is that the Letter you allude to?
A. Yes, this is the Letter; it is dated Chunar, March 27, 1781.

Then the Witneſs read the Letter as follows:

My Dear Sir, Chunar, March 27th, 178

The Raja has had Intelligence from Calcutta, that the Mahrattas have entered our vinces; and he now talks among his Favourites, as I have very good Intelligence of delaying Supply of Cavalry, until he can be certain whom Fortune will favour in the War. However diculous this Notion is, he has adopted it; and if any ſerious Accidents happen to our Arms, he has told his Minions, he will declare Independence. This, the moſt ſilly Idea that could ever enter into his Head, I really believe, from what I have myſelf known of his Folly and ſhort-ſighted Conduct, has a Place in his Mind. Pray, my dear Sir, order ſome one to write me what I am to do with reſpect to the Cavalry.

I ſome Days ago got Intelligence of a Bramin, by Name Soodial, who lived a few Co from Benares, who regularly kept from Fifty-three to Fifty-ſeven Thieves in his Pay; that th not only robbed in the Zemindary, but even ſent out detached Parties as far as Luck and Lawnpoor; I deſired the Raja to ſeize this Man and ſend him to me, which he has d and I believe I ſhall have ſufficient Witneſſes to convict him; he is now in Confinement.

I wiſh to be upon friendly Terms with the Raja, but he will not permit me. The People of Sook Loll, one of his Servants, the other Day caught an Hircarrah of mine and beat him, ſaying it was by their Maſter's Order. I deſired the Raja to make Enquiries into the Affair, and to ſend Sook Loll to me; he refuſed this.

Yeſterday an Hircarrah whom I had ſent to a Village, deſiring the Cutwal to catch a Man who was accuſed of Murder, returned much beat by his Brother Sujan Sing's People, and for no other Reaſon but becauſe he was my Hircarrah. I have repreſented this in ſtrong Terms to the Raja, telling him, that it is not only an Inſult to me, but to you, whoſe Repreſentative I am; that I expect immediate Reparation, by his delivering the Aggreſſors to me, or that he ſhall make his Anſwer to you, againſt whom I conſider the Indignity rather than againſt myſelf. I will To-morrow or next Day write the Reſult of this Letter. My beſt Compliments wait on Mrs. H. and believe me, my dear Sir,

Your much obliged devoted Servant,

William Markham.

Then the Witneſs was aſked,

Q. Did Cheit Sing ſend the Robber mentioned in that Letter to you?
A. He ſent Sooklol to me.

Q. The Queſtion does not mean Sooklol; did he deliver up Soodial to you?
A. He did.

Q. What became of him?
A. The Raja got the Evidence from me that I meant to adduce againſt him.

Q. Was he tried?
A. He was not: To the beſt of my Recollection he was a Day or two afterwards releaſed.

Q. By whom was he releaſed?
A. By my Directions.

Q. Did he ſend that other Man to you?
A. I rather think he did not ſend him to me; I do not recollect the Circumſtance.

Q. Then he did not ſend him to you?
A. I believe not.

Q. What do you mean by ſaying, he got the Evidence from you?
A. Either by Promiſes or Threats he ſeduced them from me, ſo that I had not Evidence to convict the Man.

Q. Do you know of your own Knowledge, that he either did it by Threats or Promiſes?
A. I could only know it from what I heard at the Time; it was not likely that he would either threaten them or promiſe them in my Preſence.

Q. How do you know the Fact?
A. It was told me at the Time; who the People were that told me, I do not recollect.

Q. By whom was you told?
A. I ſaid I did not recollect; but by the Connection of the Circumſtances I was myſelf convinced of it.

Q. What are the Names of the Perſons who were to be Witneſſes?
A. It can hardly be ſuppoſed I ſhould carry the Names in Memory; I do not know them; I have no Memorandum, and therefore cannot ſay.

Q. Did you ever make any Enquiry after thoſe Perſons afterwards; after the Witneſſes?

A. Indeed it is much more than I can recollect at preſent; I ſhould not have recollected this Circumſtance, but that it was ſhewn me in the Letter.

Q. How came that Letter not to be in your public Correſpondence?
A. Becauſe I thought it more fitted for a private Communication.

Q. Did you keep any Diary?
A. I did not. I believe at one Time, for a ſhort Time I did, upon Recollection; but I have it not by me; it was deſtroyed with other Papers that I neglected.

Q. When was it deſtroyed?
A. That is more than I can tell. If the Queſtion means, whether it was deſtroyed in this Country or in India, it certainly was deſtroyed in India.

Q. Was it not Part of the Reſident's Duty to keep a Diary of all his Proceedings?
A. This is the firſt Time that I ever heard there was a Suſpicion that it was his Duty.

Q. What Part of that Letter is it that you conceive more fit for a private than a public Correſpondence?
A. That Part of it ſtating what I believed had paſſed privately between the Raja and his confidential People. It was a Thing I would not have ſtated to the Board.

Q. How came you not to ſtate in your public Correſpondence that Part which relates to the Diſorders of the Country?
A. If I was to anſwer to that Queſtion now, I am convinced that I ſhould give a Reaſon that originates at this Moment, and not the Reaſon of the Time, for I do not recollect it.

Q. Did you ever communicate to Mr. Haſtings that Fact which you have now mentioned reſpecting the Notion that you had that the Witneſſes were ſpirited away?
A. I do not recollect that I ever did.

Q. Did you communicate it to Cheit Sing?
A. I will not ſay I did, becauſe I have neither Letter to prove it, nor Recollection that it paſſed in Converſation between us; but I ſhould imagine that I muſt have done it.

Q. How long did you keep the Man in Cuſtody?
A. Really I cannot ſay the Time; but I releaſed him as ſoon as I found I could not convict him.

Q. Did you take any Meaſure to recover theſe Witneſſes at the Time, or to find others?
A. I dare ſay I did at the Time; I don't recollect it; I ſhould not have recollected the Circumſtance itſelf, had it not been ſhewn me in the Letter.

Q. Do you recollect an Inſtance of a Perſon of the Name of Iſmael Beg taking refuge in Cheit Sing's Territories?
A. Iſmael Beg?

Q. Any Zemindar?
A. I do not recollect any particular Circumſtance of the Kind.

Q. Do you recollect Cheit Sing ſending a Party of Horſe to take a Zemindar?
A. I requeſt the Time to be pointed out, the Date of the Time ſpoken of.

Q. About the 30th or 31ſt of May 1781?
A. I may have written Letters upon the Subject, but I do not recollect it; it is a Thing common; I had ſeveral Applications from Mr. Middleton, from Mr. Green, perhaps from Iſmael Beg; but I do not recollect the particular Circumſtance to which the Honourable Manager alludes?

Q. Whether the Country of Benares was not a Country in which it was extremely common for refractory Zemindars and Perſons of that Deſcription to take refuge in?
A. It was; the Raja too often protected them.

Q. Did it not happen after the Expulſion of the Raja as well as before?
A. It may have been ſo; but I don't recollect any particular Inſtance.

Q. How do you know that the Raja protected them?
A. I can only ſay that Futty Shaw took protection there, and I complained to the Raja upon the Subject, and ſtated to him a Report that I had heard, that he was on the Point of marrying his Daughter to Futty Shaw's Son.

Q. At what Period was it?
A. I have not finiſhed; I mentioned it to him; he ſaid, that it was not to be ſo, but requeſted I would uſe my Influence with the Governor General and Council, that Futty Shaw might be received again to his Zemindary, or Lands, or whatever Poſſeſſions he had in Bahar; I do not recollect what they were.

Q. At

Q. At what Period was it Futty Shaw took refuge in Benares?
A. I cannot ſpeak as to the Month.

Q. Or to the Year?
A. It was in the Year 1781; becauſe Lieut. Stalker propoſed to me the Seizure of him, and acquired the Reward that was ſet upon his Perſon.

Q. Did he not take refuge there in the Year 1782?
A. I really do not recollect; he might.

Q. Do you recollect an Application from Captain Lucas for the Purpoſe of ſeizing him?
A. As it has been mentioned, I believe there was ſomething of the Kind; but the Letter I do not recollect; I do not recollect the Circumſtance.

Q. Had you not more Charge of the Government of Benares after the Period of Cheit Sing's Expulſion than before?
A. Does the Queſtion mean the Town of Benares, or the Zemindary?

Q. The Zemindary of Benares in general?
A. I had not more Power, that I know of, given to me by the Governor General; but I certainly had a greater Influence.

Q. Do you not recollect Futty Shaw's taking refuge there in that Period; that is, after the Expulſion?
A. I really do not recollect the Circumſtance.

Q. Don't you recollect Applications from Mr. Briſtow, complaining of refractory Zemindars of the Vizier's Dominions taking refuge in Benares in the Year 1782?
A. I believe there might be ſuch Repreſentations; but my not having ſeen the Letters, if there were any, from that Time to the preſent Moment, I truſt to the Candor of the Honourable Manager, that if he wants an Explanation of them, he will ſhew me the Letters.

Q. Do you recollect Mr. Briſtow complaining to you of its being a common Practice for the refractory Zemindars to take refuge there in 1782?
A. Really it is impoſſible for me to recollect the Particulars of Complaints now; I cannot and will not anſwer to them; if there are any, I dare ſay they are upon Record. Let the Record be produced, then I can explain particular Circumſtances, if aſked.

Q. Do you recollect a Complaint made to you by Captain Dennis of a refractory Zemindar having taken refuge in the Zemindary of Benares?
A. I do not recollect the Circumſtance; there were ſo many Complaints from different Officers, from Mr. Briſtow, from Mr. Green, from Major Eaton, and others, upon different Occaſions, that it is impoſſible for me to carry in my Mind any particular one from the Time that I was appointed Aſſiſtant at Benares, to the Time I left it in April 1783.

Q. Do you recollect a Complaint from a Perſon of the Name of Almarram, or Acbarram, a Bramin?
A. I do not recollect the Name or the Complaint.

Q. Do you recollect any Complaint from a Perſon of the Name of Roberts—Captain, or Major Roberts, about April, in the Year 1783?
A. I believe I left Benares on the 5th, ſo that it muſt have been very early in April. I don't recollect it; probably I was not there.

Q. Do you recollect any Complaint, during the Courſe of the Year 1783, of a Murder being committed in the Diſtrict of Benares before you left the Town?
A. I went down to Calcutta; I think it was the Beginning of February 1783, and left Mr. Benn in Charge of the Office in Calcutta. The Account arrived of my Removal from the Reſident's Office by the Court of Directors; and I returned merely to give up the Charge of my Office, and to ſettle the Affairs of it; and I left it the Beginning of April.

Q. Do you recollect any Complaints of Diſorders being committed in the Courſe of the Year 1781 by the Zemindars of Patna, in the Diſtrict of Benares?
A. I do not recollect the Thing. Cheit Sing may have complained to me againſt them, and I may have written to the Collectors at Patna; but I hope, from the Number of Complaints that are ſtated for my Recollection, it will be ſeen, that from that very particular Circumſtance, it is not likely I ſhould recollect any particular one; whenever I do, of courſe I will ſay ſo.

Q. Do you recollect any Enquiry that was made into certain Complaints that were made of the Conduct of Major Eaton's ſoldiers?
A. At what Period of Time?

Q. About the Year 1781?
A. If the Queſtions mean to allude to two young Officers that were wounded, I believe it was before my Appointment to Benares.

Q. Do

Q. Do you recollect any Complaints made of the Conduct of the Sepoys poſterior to the Expulſion of Cheit Sing?

A. Very many; I do not recollect particular ones; whenever an Army marched through the Country, there were many.

Q. The Queſtion does not mean, when an Army marched through the Country, but whether there were not at other Times in Lutteeſpore, Chunar, and Bidjegur?

A. I have no Doubt but there were; but the only Complaint that particularly ſtrikes my Recollection, was againſt a Captain Baker, in the Diſtrict of Billere.

Q. Where is that?

A. In that Tract of Land between the Gogra and the Ganges, Eaſtward of Gauzepore.

Q. Do you recollect any Complaints that you made to Colonel Blair concerning the Conduct of the Sepoys in May and Auguſt 1782?

A. I have no Doubt that I have often complained to Colonel Blair of the Conduct of the Sepoys at Chunar; but I could wiſh it to be pointed out particularly what Oppreſſion is meant.

Q. You ſaid, Mr. Haſtings gave you ſome Memorandums to carry up to Cheit Sing; one with reſpect to Cavalry, another with reſpect to the Police, and a third reſpecting the Malguzary—When did you make the firſt Requiſition to Cheit Sing reſpecting the Horſe?

A. On the firſt Day that I viſited him.

Q. What paſſed upon that Occaſion?

A. I believe I have ſtated it in my former Evidence.

Q. If it is all, then ſtate only the general Reſult?

A. I do not know that every Argument I may have made uſe of is there; but the general Reſult is.

Q. Did you make any other Requiſition?

A. I requeſted of him the Two Companies of Sepoys that I afterwards had.

Q. Did Cheit Sing offer you any Horſe, or any Match-lock Men?

A. He offered me 500 Horſe and 500 Burkendaſſes.

Q. Were your Requiſitions in Writing?

A. Very often in Writing; very often in Converſation.

Q. What Anſwer did you make to him reſpecting the 500 Horſe and the 500 Burkendaſſes?

A. I believe I have already ſtated it in my former Evidence, that the 500 Burkendaſſes were of no Uſe in our Line, and that I wiſhed (I do not know that thoſe were the Words) him to muſter the 500 Horſe as a Proof that he was in earneſt.

Q. Do you recollect nearly the Date of that Converſation?

A. I believe it muſt have been in May, I ſhould rather think ſo.

Q. Is that Requiſition, or any other, in Writing; and if ſo, where are they?

A. They were in Perſian.

Q. Have you any Copies of the Anſwer made to them?

A. I have not; if I had any, it would be the Anſwers themſelves; but I have not.

Q. Did Cheit Sing inform you he had written to Mr. Haſtings upon the Subject of the 500 Horſe and the 500 Burkendaſſes?

A. He informed me, that he had written upon the Subject of Cavalry to Mr. Haſtings, and I believe it might be that Statement, but I am not certain; but I had a Letter from Mr. Colebrook, the Perſian Tranſlator, that Mr. Haſtings, upon the Receipt of that Letter, whatever it was, had given Orders to Cheit Sing's Vakeel in Calcutta, that he was to furniſh 1,000 Horſe.

Q. Have you that Letter?

A. I have not; it is at Benares, I ſuppoſe.

Q. Is that Letter upon your Correſpondence?

A. The Perſian Tranſlator's Letter to me cannot be upon my Correſpondence.

Q. Did you not keep Copies of them?

A. I did keep the Letters that were ſent me, as I did all Receipts, which were left in the Office.

Q. You have it not then?

A. I have it not.

Q. After the Expulſion of Cheit Sing, what Number of Troops were maintained in the Territory of Benares?

A. Does the Queſtion mean the Company's Troops?

Q. Certainly?

A. I do not know their Amount; but I believe they were more than before Cheit Sing's Expulſion.

Q. Was not Bidjegur, Lutteefpore, and the other Forts, garriſoned by the Company's Troops?
A. There was a Corps of Sepoys raiſed by Captain Hook for the Garriſon of Bidjegur; there were Companies from Chunargur to garriſon Lutteefpore; but they were afterwards returned to Chunargur, and Lutteefgur was given up to Raja Mehipnarain.

Q. Had you not frequent Occaſion to employ the Company's Sepoys, or to call in the Military Aſſiſtance, for the Purpoſe of the Collection, poſterior to the Expulſion of Cheit Sing?
A. Whenever the Naib applied for any Military Aſſiſtance, I was directed to apply to the Officer at Chunargur for it; and to the beſt of my Recollection, there was a Battalion of Sepoys generally ſtationed in the Gauzepore Diſtrict, and either a Regiment or a Battalion under Major Roberts at Juanpore; they were ſtationed there regularly, and regularly relieved, I believe.

Q. The Queſtion was, whether you had not frequent Occaſion to employ thoſe Troops in the Collection?
A. In the Bellear Diſtrict the Naib wanted to uſe them for an oppreſſive Purpoſe. There had been a Murder committed in the Bellear Country before Mr. Haſtings had left Benares, and he inſiſted upon the Murderers being brought to Juſtice. It had made a Commotion in the Country, as it was a Murder; though it was committed by a few Individuals, it was very much taken up by the two Sides being of different Caſts. Doorbedjy Sing took Advantage of this, and wanted to raiſe the Cowſics (one Party) Two Annas in the Rupee more than they had formerly paid. Upon their Refuſal to comply with this Requiſition, he wiſhed to have expelled the whole Race out of the Country, and wiſhed to have uſed this Battalion for that Purpoſe. Major Lane, who was there, acquainted me with the Truth of it. Doorbedjy Sing ſaid, upon my applying to him, that he had Mr. Haſtings's Orders to expel the Race of Cowſics from the Country. I ſaid it was impoſſible, and would not allow him to do it. Mr. Haſtings was ſurprized the Naib ſhould have made ſuch an Accuſation, I may call it, againſt him; and I forbad the Military Force to act for ſuch a Purpoſe. I do not recollect that at that Period they were uſed in the Collections otherwiſe.

Q. *(By a Lord.)* But were they uſed at any other Period for the Collections?
A. I do not know or believe that they were ever uſed in the Collections; both the one Battalion and the other Battalion were placed in Stations to awe the Country, but they never went into the Mofuſſul.

Q. *(By Managers.)* What became of the Murderer?
A. I really do not recollect he was ever brought to Benares. Whether he was ſeized or executed, I do not recollect.

Q. You ſaid, that at one Time Cheit Sing was Twenty Days behind in the Payment of the Malguzary, and that Gopaul Doſs made a Complaint of him?
A. I did; and I believe I at the ſame Time ſtated there was another Kiſt, which was not paid for a longer Time than the Twenty Days. I believe it was due on the 4th of June, and was not paid, I think, till the 14th of July.

Q. Is it the conſtant Practice in Bengal to exact Payment ſtrictly and punctually on the very Day on which it becomes due?
A. I never was in any Office in Bengal by which I can ſpeak with Certainty to that Queſtion.

Q. Was it at all Times an eaſy Thing in the Market of Benares to get Bills into the interior Parts of India at very ſhort Dates?
A. I believe I could have got Bills to moſt Places in India from the Merchants at Benares whenever I had wanted them.

Q. Could you have got them at a very ſhort Date, or ſhort Sight?
A. Short Date and ſhort Sight are relative Terms.

Q. Could you get them payable at Sight?
A. I do not ſuppoſe I could upon every Part of India, but upon Calcutta, or Bombay, or Surat. I ſuppoſe that by paying for it, I could have got them?

Q. Could you have got them with equal Eaſe into the interior Part of the Weſtern Part of India at Gohud?
A. Not at Sight, I believe.

Q. To Malva?
A. I am not certain with reſpect to Malva.

Q. Could you have got them at a Month's Date?
A. I ſhould think I could.

Q. Had you ever Experience of that?
A. I do not recollect that I ever ſent Money by Bills, either to Gohud or to Malva; therefore, with reſpect to thoſe two particular Places, I cannot ſpeak upon Experience.

Q. Do

Q. Do you know at all at what Diſtance Bills were got to the interior Part?—What Premium?
A. I ſuppoſe it varied every Day, as it did between Benares and Calcutta.

Q. Was there no general Average Rate of Premium?
A. There was not. I have, with reſpect to the Exchange between Calcutta and Benares, known it from Two and an Half to Fourteen; and therefore I believe it varied in the ſame Way in other Parts.

Q. Did it vary in a greater Extent to the other Parts of India?
A. I believe I ſtated, that with reſpect to Malva and Gohud, which I imagine the Queſtion alludes to now, I had no Experience, and therefore cannot anſwer the Queſtion.

Q. I think your Inſtructions directed you to give a Preference in all Money Tranſactions to the Houſe of Gopaul Lols?
A. It did.

Q. Did you endeavour to aſſiſt Cheit Sing in procuring Bills from that Houſe to make Remittances as directed by Mr. Haſtings?
A. I did not.

Q. You did not?
A. Never; I had no Interference whatever.

Q. You had no Interference whatever?
A. None whatever. Cheit Sing got the Bills from various Merchants in Benares, and I received thoſe Bills from him.

Q. Did you ever remonſtrate to Cheit Sing againſt the Length of Date at which thoſe Bills were drawn?
A. I could not make a Remonſtrance againſt it, becauſe it was at 51 Days Sight, which was, I believe, the Date agreed upon between him and the Governor General and Council, and ſo ſtated in his Pottah and Cabooleat.

Q. Then it was your Duty to accept from Cheit Sing Bills drawn at 21 Days Date?
A. It was when I had not Orders to receive the Money in Specie.

Q. Then you are underſtood to ſay, that Cheit Sing literally complied with his Pottah when he delivered to you Bills drawn at 51 Days Date, when he had to pay Money by Bills, and not to pay them at Benares by Money in Specie?
A. When Cheit Sing gave me Bills on the 4th of March, due on the 4th of March, at 51 Days Date, he, in ſuch an Inſtance, would have complied with the Agreement of his Pottah and Cabooleat.

Q. If Cheit Sing gave you Bills for a Kiſt due on the 4th of March, payable 51 Days after, would he have complied with his Cabooleat?
A. If he gave me Bills on the 4th of March for the Money due on the 4th March, he then did comply with the Terms of his Agreement.

Q. Did you ever make any Complaint to Mr. Haſtings againſt Cheit Sing for the Length of Date at which thoſe Bills were drawn?
A. I believe it will be found that the Complaint was made by Mr. Fowke, on which that Letter which I carried to the Raja was founded. I do not believe that I made any public Complaint to Mr. Haſtings upon that Occaſion.

Q. Did you make any Complaint at all?
A. I think I recollect mentioning it to him reſpecting the Delay in the Payment of the Money when it was to be in Specie; but I do not recollect that I ever made any Complaint to him in thoſe Months when Bills were to be furniſhed. It will be recollected, that I was only there Two or Three Months when Bills were furniſhed.

Q. What Allowance was made to Cheit Sing for the Premium which he uſed to pay upon thoſe Bills?
A. There was an Average Rate ſettled to the beſt of my Recollection between him and the Government at Calcutta, and that Average Rate is expreſſed, I believe, in the Pottah and Cabooleat.

Q. When did you meet Mr. Haſtings, when you went up to Benares?
A. I met him at Boglepore.

Q. What paſſed between you and Mr. Haſtings reſpecting Cheit Sing upon that Occaſion?
A. I related to him all Circumſtances that I could recollect reſpecting Cheit Sing's Contumacy in not furniſhing the Horſe. I mentioned to him the bad Police of the Town of Benares, with many other Particulars, which I do not exactly recollect at this Moment.

Q. What Information did Mr. Haſtings give you reſpecting the Object of his Journey?

A. He

A. He told me (I ſhall ſtate it as ſhortly as poſſible) that it was his Intention to turn Cheit Sing's Delinquency to the Service of the Company, and he ſhould fine him 50 Lacks of Rupees.

Q. Did Mr. Haſtings inform you that he had intended to hear what Cheit Sing had to ſay in his Defence?

A. He did not ſay that he intended to hear Cheit Sing in his Defence; but on my ſaying with ſome litttle Surpriſe, That is a very large Sum, and I rather think the Revenues of his Country are magnified in Calcutta; and upon the Production of my Statement of the Revenues which I told him I believed was a juſt one, he ſaid, we will talk of it more at Benares; we will talk more on the Subject at Benares; I believe his Revenues to be much more.

Q. *(By Counſel.)* Mr. Haſtings ſaid that?

A. Mr. Haſtings ſaid that.

Q. *(By Managers.)* Whether that Reſolution of Mr. Haſtings to fine Raja Cheit Sing 50 Lacks of Rupees was taken prior to the Communication made by you to Mr. Haſtings at Boglepore?

A. I underſtood it to be a Reſolution made before Mr. Haſtings left Calcutta, and that he had communicated the Intention to Mr. Wheeler.

Q. How long after you met him, did Mr. Haſtings inform you that he had ſo communicated it to Mr. Wheeler?

A. I will not venture to ſay it was in that Converſation. I underſtand the Queſtion does not mean to confine me to that Converſation. Mr. Haſtings did inform me he had communicated his Intention to Mr. Wheeler.

Q. Did Mr. Haſtings inform you he had communicated his Intention to Mr. Wheeler prior to the Affair at Shewallah Ghaut?

A. I believe the Communication was made the Night before, in which he alſo told me that Mr. Anderſon and Major Palmer were acquainted with it.

Q. How long was it from the Day you met Mr. Haſtings at Boglepore to the Day that you arrived at Benares?

A. I really cannot anſwer the Queſtion, for I do not recollect the Day of my Arrival at Boglepore.

Q. Was it Two or Three Days?

A. It was much more than that, certainly.

Q. Had you any other Converſation with Mr. Haſtings between the Time you have mentioned and the Time of your Arrival at Benares, in which Mention was made of the Ability of Cheit Sing to pay 50 Lacs of Rupees?

A. I think I had once, when we talked over my Statement of the Revenue.

Q. Do you recollect when that was?

A. It was on the Paſſage; but this Right Honourable Court muſt know it is impoſſible for me to recollect exactly the Day.

Q. Was it before or after he met Cheit Sing at Buxar?

A. It was before he met Cheit Sing at Buxar, for there I left the Governor General and went by Land.

Q. What paſſed at that Converſation?

A. I can only ſtate it generally, that Mr. Haſtings thought the Revenue of his Country to be greater than my Statement of it.

Q. What was your Statement of it?

A. The Groſs Revenue at 53 Lacks; I ſuppoſe it is intended I ſhould go into Particulars.

Q. What was the Net Revenue?

A. I ſhould ſuppoſe that Cheit Sing's Net Revenue may certainly be ſtated to be above 46 Lacs.

Q. What did Mr. Haſtings calculate it at?

A. I beg Pardon, perhaps I miſunderſtood the Queſtion.

Q. You have ſtated a Converſation that paſſed between you and Mr. Haſtings, in which you repreſent yourſelf to have ſtated to Mr. Haſtings, that you did not think Cheit Sing of Ability to pay 50 Lacks, conſidering his Revenue, which you calculated at ſo much; Mr. Haſtings ſtated, he thought it a great deal more; how much did Mr. Haſtings think Cheit Sing's Revenue was?

A. I certainly did not ſtate as has been now ſtated for me; I ſaid, with a little Surpriſe, What 50 Lac! conſidering it as a large Sum; but I never doubted but that Cheit Sing could have paid 50 Lac, and have ſtill kept a large Treaſure.

Q. You ſtated you thought the Revenue magnified; to what Extent did Mr. Haſtings ſtate thoſe Revenues to be—the Annual Value?

A. I un-

A. I understand the Question; but I must first correct my last Answer, because I thought I was asked what I really believed Cheit Sing's Net Amount to have been from the Country, and not what I stated it to Mr. Hastings.

Q. *(By a Lord.)* You said his Revenue was about 46 Lacks?
A. I suppose I stated it nearly the same to Mr. Hastings; but I do not exactly recollect what it was.

Q. *(By Managers.)* What did Mr. Hastings state to you his Idea to be of the Extent of Cheit Sing's Revenue at that Time?
A. I do not believe that Mr. Hastings ever stated to me his Belief of any particular Amount of Cheit Sing's Revenue; he stated generally, that he believed it to be much larger; by generally, I mean in general Terms.

Q. That Conversation you say passed between the Time of your being at Boglepore, and the Time of your meeting Cheit Sing?
A. It did.

Q. Was you present with Mr. Hastings when he met Cheit Sing?
A. I was not.

Q. Was you ever in Company with Cheit Sing and Mr. Hastings together?
A. I was not.

Q. Did Mr. Hastings ever inform you what had passed between him and Cheit Sing in the Budgerow?
A. He did.

Q. What Account did Mr. Hastings give to you of that Transaction?
A. I believe much the same as is in the Narrative; I do not immediately remember any particular Variations.

Q. How did Mr. Hastings state to you the Conversation that had passed between him and Cheit Sing in the Boat?
A. I believe as it is related in the Narrative.

Q. *(By a Lord.)* Have you any Memory of the Conversation? You referred to the Narrative as being the Substance of the Conversation that passed between you; have you any Memory, besides what you collect from the Narrative, of the Passages of that Conversation?
A. In that Conversation there were Things perhaps which passed, that are not mentioned in the Narrative; but not with respect to the Meeting of Cheit Sing in the Boat.

Q. *(By Managers.)* State that Conversation therefore; you say there is some Part of the Conversation that is not in the Narrative?
A. There was a great Part of the Conversation about the Means of seizing Cheit Sing; but with respect to the Conversation——

Q. Repeat the Conversation as near as you recollect it.
A. Mr. Hastings mentioned to me Cheit Sing's apparent Submission; his laying the Turban upon his Knees, or attempting to do it; and his Professions; his Apprehension of Sujaun Sing; and when I have said that, I believe that in general was all.

Q. You said there was some Conversation about the Manner of seizing Cheit Sing; do you recollect what that was? State the whole Conversation with Mr. Hastings.
A. It was a Conversation of two Days at different Times; really I cannot entirely give it; but we agreed in Opinion that his Professions were not real; and that to carry Mr. Hastings's Intention of the Fine into Execution, it would be necessary to secure the Person of Cheit Sing; that was after the Receipt of the Letters from Cheit Sing; that Part of it.

Q. State Mr. Hastings's Part in that Transaction; whether Mr. Hastings told you what he had said to Cheit Sing, and what he had done to Cheit Sing?
A. He told me, he had received him with Civility; that it was not his Intention to talk with him upon Business at that Time, to the best of my Recollection; and that he should hear farther from him when he came to Benares.

Q. Did he inform you that he had said any thing to him upon the Subject of the Tribute?
A. He certainly, I believe, had not informed me.

Q. Do you mean the Tribute?
A. I do not exactly recollect.

Q. Did he inform you of having made any Demand of him of any Sort whatever?
A. He did not inform me that he had made any Demand upon him.

Q. Did he inform you that he had told him he must pay 50 or 100 Lacks?
A. I believe Mr. Hastings never did mention that to Cheit Sing.

Q. Did Mr. Haſtings inform you of nothing that he had ſaid to Cheit Sing upon the Subject of that Converſation?

A. I underſtood that he had not mentioned any thing to Cheit Sing reſpecting any Fines in Converſation with him in the Boat.

Q. Did he not inform you what that Converſation was?

A. I have before informed the Right Honourable Court what that Converſation was, and refer to the Narrative for any thing that I have not ſtated.

Q. You ſaid, in the Courſe of that Converſation, there were ſeveral Things that were not in the Narrative; ſtate what thoſe were?

A. A Thing is ſtated which I did not mean, which I believe the Right Honourable Court will obſerve; for I ſtated that that was a Converſation of Two Days from the Time Mr. Haſtings arrived at Benares, till the Evening before I ſeized Cheit Sing; that is, that we talked upon the Subject, not that it was one uninterrupted Converſation.

Q. Recollect as much as you are able of that Converſation between you and Mr. Haſtings in the Courſe of thoſe Two Days, as far as it reſpected any thing of Cheit Sing and his Government?

A. Mr. Haſtings mentioned how unſatisfactory Cheit Sing's Excuſes had been, and directed me to forbid his coming to his Preſence till further Orders.

Q. In what Particulars did he ſay Cheit Sing's Anſwers were unſatisfactory?

A. I do not recollect, nor do I ſuppoſe Mr. Haſtings minutely ſtated to me every Anſwer of Cheit Sing's, or what particular Anſwer was unſatisfactory, but the general Tenor of the Converſation between them. Mr. Haſtings mentioned to me the large Military Attendance of Cheit Sing, and ſpoke of it as a high Mark of Diſreſpect to a Governor General of Bengal, and as a very unuſual Mode of an Inferior meeting a Superior in the Government.

Q. Did Mr. Haſtings inform you of any Demand that he had made upon Cheit Sing to deliver up to him the Fortreſs of Bidjegur?

A. He never did; nor do I believe that any ſuch Requiſition was ever made.

Q. Did you ever ſee an Account of that Converſation by Cheit Sing?

A. I have not; I remember a Kind of Manifeſto that came out, ſuppoſed to be written by Cheit Sing; I have not ſeen it ſince that Time, but was convinced that it was a Forgery.

Q. Why?

A. From one particular Expreſſion contained in it; Cheit Sing mentions all the Princes of the Eaſt: Now Eaſt or Weſt is only relative to the Place that we are ſtanding in, and Cheit Sing never could have called himſelf an Eaſtern Prince; the Term came from us, and convinced me it was a Manufacture in Calcutta.

Q. Did you never ſee that Letter?

A. I have not ſeen it ſince I left India. I don't know whether I have explained myſelf perfectly ſo as to be underſtood.

Q. When did you ſee that Manifeſto firſt?

A. I have not ſeen it ſince I was in India, and I don't recollect whether I ſaw it at Benares or Calcutta; I ſhould rather ſuppoſe at Benares; it was in Perſian.

Q. Are you quite ſure that that Expreſſion which you criticiſe upon is in the Manifeſto?

A. I am clear it is in the Manifeſto that I mean, and that I had tranſlated.

Q. Have you any Copies of it?

A. Certainly I have not; I never expected to have heard of it again.

Q. Do you know if any Inquiry was ever made afterwards?

A. I never heard of it ſince that Time, nor do I know that any Inquiry was made; it certainly was not worth while, I ſhould imagine.

Q. Had you ever any Converſation with Mr. Haſtings upon the Subject of that Manifeſto?

A. I do not recollect that I had.

Then a Paper was ſhewn by the Managers for the Commons to the Witneſs, and he was aſked,

Q. Does that contain the Subſtance of the Manifeſto?

A. It is a long Time ſince I ſaw it, but I believe it is nearly to that Purpoſe; but it is not mentioned to whom this Manifeſto is ſent; if you publiſh a Manifeſto, it is addreſſed to all the Powers of Europe——Here *(reading)* it is, "Be it known to you all"——But why is it "to you all?"—who are "you all?"—it muſt be from Somebody or another—this therefore is not an entire Piece.

Q. You

Q. You have been talking of a Manifeſto that purported to be a Manifeſto that iſſued from Cheit Sing, is this Paper the Paper you talked of?

A. The Subſtance of this Paper I believe is what the Purport of what Cheit Sing's was, or that which was ſaid to be Cheit Sing's; but to whom is this addreſſed?

Q. Whether you read Perſian?

A. I have already ſtated, I do not; if a Perſian Letter was read to me I underſtand it, and I could ſo far underſtand the Perſian, that if the Perſian was not exactly my own Meaning, I could correct it in the Hindoſtan.

Q. Did you read that Manifeſto in the original Perſian?

A. I did not; I cannot read Perſian.

Q. Was it read to you in the original Perſian?

A. That is more than I can ſay; I believe it was tranſlated; but that it was addreſſed to the Princes of the Eaſt, I am confident.

Q. In your Tranſlation?

A. Certainly. Not in the one ſhewn me by the Honourable Managers.

Q. You ſaid you had a great deal of Converſation with Mr. Haſtings about the Mode of ſeizing Cheit Sing; ſtate what that Converſation was?

A. I ſtated that the Mode of ſeizing Cheit Sing was Part of the Converſation; at leaſt if I did not, I wiſhed to be ſo underſtood; I ſtated to Mr. Haſtings my Belief, that if he endeavoured to carry any ſtrong Meaſure into Execution againſt Cheit Sing, it would be neceſſary firſt to confine his Perſon, or that he would fly to his Forts, and attempt to defend himſelf.

Q. This is what you ſuggeſted to Mr. Haſtings? what did Mr. Haſtings ſay in the Courſe of that Converſation?

A. He agreed with me in Opinion.

Q. What did he ſay, do you recollect?

A. Why really I think that agreeing in Opinion, is as fair a Mode of anſwering that Queſtion as any I know; what the particular Words were, I do not know.

Q. What did Mr. Haſtings ſay to you that led you to give that Opinion?

A. That from the unſatisfactory Manner in which Cheit Sing had attempted to clear himſelf from the Charges made againſt him by Mr. Haſtings, he was determined to carry his original Intention into Execution.

Q. What Charges did Mr. Haſtings inform you he had made againſt Cheit Sing?

A. The Charges are in the printed Evidence, and I beg to refer to them; I believe they are in the printed Evidence; I believe the Letter which I carried to Raja Cheit Sing is in Evidence; that is the Charges I mean.

Q. Did not Mr. Haſtings converſe with you upon the Subject, and if he did converſe with you upon the Subject, what did he ſay prior to the ſending that Letter?

A. I read the Letter that I was to carry; I was not to argue with Cheit Sing upon it, but to bring back his written Anſwer.

Q. You underſtand the Queſtion put to you; what Converſation had you with Mr. Haſtings upon theſe Subjects prior to the ſending that Letter?

A. Converſation with reſpect to his Contumacy in not furniſhing the Cavalry, and his Delay in furniſhing the War Subſidy of the Year before; I believe theſe are Points meant by the Queſtion.

Q. Are thoſe the only Points upon which Mr. Haſtings and you converſed prior to his ſending that Letter, ſo far as reſpects Cheit Sing, his Territories, his Diſreſpect, and his Diſaffection?

A. Mr. Haſtings mentioned Cheit Sing's Diſreſpect, as I before ſtated, in coming with ſo large an Attendance, with ſo large a Force to meet him; we had Converſation about the bad Police of the Town; we had Converſation with reſpect to the Number of Horſe he had, I believe.

Q. What was that Converſation?

A. The ſeveral Points I have mentioned; but if the Queſtion means that I ſhould go into the Queſtion and Anſwer of what paſſed between me and Mr. Haſtings, it is impoſſible.

Q. What Converſation had you with Mr. Haſtings as far as your Memory will ſerve you, reſpecting Cheit Sing, reſpecting the ſeizing his Perſon, his Territories, or any of thoſe Subjects you have mentioned?

A. I believe I have mentioned the Subject of the Converſation.

Q. Do you recollect any other Subject than thoſe you have mentioned?

A. I do not recollect the Subject, nor will my Memory ſerve me to go into the Converſation by Queſtion and Anſwer, as by the Queſtion is deſired of me.

Q. Whether

Q. Whether Mr. Haſtings had not determined to make Cheit Sing pay a Fine, prior to the Time Cheit Sing met him with ſuch a Number of Attendants?

A. I have ſtated Mr. Haſtings's Intention of fining him Fifty Lacks. Whether, upon a certain Information of what the Revenues of his Country, and what the Amount of his Treaſure might have been, he would have fined him more than Fifty Lacks, a Suppoſition which I never heard, or that he would have fined him leſs than Fifty Lacks, I certainly cannot determine, as I had no Converſation with him.

Q. Whether Mr. Haſtings's Intention to fine Cheit Sing was not taken prior to his Inſtance of Diſreſpect at Buxar?

A. I have frequently ſaid ſo.

Q. Whether you ſay the Revenues of Cheit Sing are Fifty-three Lacks the Groſs Revenue; and the Net ſomewhere about Forty-ſix?

A. It will be recollected that I am ſpeaking without Pen and Ink.

Q. What was the Expence of maintaining a Body of 1,000 Horſe in India?

A. I really cannot ſay; it would be better applied to a Military Man. I do not know. I do think I have heard Twenty-five Rupees a Month, each Man and Horſe.

Q. Suppoſing Cheit Sing to have furniſhed the 2,000 Horſe, and ſuppoſing him to have paid for thoſe 2,000 Horſe, and ſuppoſing him to have kept Force enough in his own Country to keep Peace and Quietneſs in his own Country, whether the total Demand upon Cheit Sing, in the Courſe of that Year, would not have exceeded Forty-ſix Lacks?

A. Really it is a Subject I never turned my Mind to; becauſe I never demanded 2,000 Horſe of him. I never thought upon the Subject.

Q. Whether, in your Opinion, the Demand upon Cheit Sing in that Year, and the Expence of the Eſtabliſhment which he kept up, did not conſiderably exceed his Groſs Revenue in that Year?

A. Does the Queſtion mean the Year 1781, and at the Time that he had collected the very large Force againſt us?

Q. Prior to the Expulſion do you know what the Expence of his Eſtabliſhment was?

A. I do not know the Expence of his Eſtabliſhment.

Q. Do you know the Extent of the Demand upon him?

A. The Demand was of 1,000 Horſe; that was the only Demand made upon him beſide his Malguzary.

Q. *(By a Lord.)* Was that Demand of a Part of his Eſtabliſhment, or of 1,000 Horſe beyond it?

A. The 1,000 Horſe were only requeſted as what he could ſpare from the Eſtabliſhment he had kept up for Years; and therefore I ſhould ſuppoſe it did not exceed the Revenues of his Country.

Q. Are you ſure that Cheit Sing had, in his whole Territory, 2,000 Horſe?

A. By all that I could collect at the Time, and by what I collected afterwards, before the Attachment of his Perſon, he kept 2,500 Horſe in Pay.

Q. Do you know it?

A. I believe it moſt perfectly.—Cheit Sing would never muſter a Horſe before me—and therefore I cannot know it.

Q. Had you any Means of knowing Cheit Sing kept up 2,500 Horſe?

A. At the Time that I was directed to demand what Horſe he could ſpare, I naturally inquired, as well as I could, what Quantity of Horſe he had: and on the beſt Information at that Time that I could procure, he had 2500 Horſe, or upwards: You have it afterwards, I believe, ſtated upon the Oath of ſome of his Commanders, that he had above 3,000.—I believe it is an Affidavit in the Narrative.

Q. Do you not know that Mr. Haſtings did demand from Cheit Sing 2,000 Horſe?

A. There was an Order from the Board, before I went up as Reſident, reſpecting the Horſe. I do not recollect what that was, but I believe I never demanded more than 1,500 Horſe: and I think I recollect ſaying to him, "Send 1,000 with Cheerfulneſs, and I will do my beſt Endeavour that the Board ſhall be ſatisfied with that Number."

Q. Do you not know that Mr. Haſtings did ſome way or other, or by Somebody or other, demand 2,000 of him?

A. I do not.

Q. Do you know this Fact, that General Clavering would have recommended to him to keep up 2,000 Horſe; and that this was the Number he demanded: Is that Fact true?

A. I do not know it.

Q. After the Converſation that had paſſed between you and Mr. Haſtings, you determined to arreſt Cheit Sing—to ſeize his Perſon?

A. To ſeize his Perſon.

Q. He

Q. He gave you Orders to execute that?
A. He did.

Q. You executed that Order?
A. I did.

Q. How did Cheit Sing behave when you firſt arreſted him?
A. I believe I have already ſtated to the Right Honourable Court, and I did alſo ſtate that my Report reſpecting it is already in Evidence.

Q. You ſtated in the Courſe of your Evidence, that Cheit Sing deſired to ſpeak with you in private, and that you had ſome Converſation with him; but you have not ſtated what that Converſation was: If you can recollect that Converſation, ſtate it?
A. It was Proteſtations of future Obedience, with the Acknowledgment of a Fault in not having furniſhed the Cavalry. With reſpect to the particular Expreſſions, my Report at the Time will better ſtate them than I can.

Q. Does the Report contain the Subſtance of all the Converſation which you had with Cheit Sing at that Time?
A. I don't know that that Report ſtates all the Proteſtations that were made.

Q. Does it ſtate the Subſtance?
A. It ſtates the Subſtance.

Q. Did Cheit Sing ever inform you, that any Demand was made upon him by Mr. Haſtings of a Sum of Money?
A. He never did.

Q. Did he ever inform you that he had given Mr. Haſtings a Sum of Money?
A. He never did;—that is, Cheit Sing never did.

Q. Did Cheit Sing ever inform you that his Buxey Saddanund had given Mr. Haſtings a Preſent of Two Lacks of Rupees?
A. He never did.

Q. Did Mr. Haſtings ever inform you of that Tranſaction?
A. He did.

Q. Did he ever inform you of that Tranſaction at any other Time than at the Time you have mentioned in your Examination in the Houſe of Commons?
A. I beg that to be read.

Q. *(By a Lord.)* Do you remember the Time that you did mention it in the Houſe of Commons?
A. I do.

Q. Then the Queſtion is, Whether he ever informed you of that Circumſtance at any other Time than that?
A. If the Queſtion means, Whether I at any other Time talked to Mr. Haſtings upon the Subject, I certainly have; but I do not recollect particularly in India.

Q. You don't recollect having any Converſation with Mr. Haſtings in India, except at the Time you mentioned in your Examination in the Houſe of Commons?
A. Mr. Haſtings, in a private Converſation, ſaid, he regretted; there was a Point upon which he was rather uneaſy: it was in 1780, in Calcutta.—If it were taken down from what I ſaid in the Houſe of Commons, perhaps it may ſave Trouble.

Q. Whether you had any Converſation with him at any other Time than that you mentioned in the Houſe of Commons, with reſpect to that Fact, and the Circumſtances attending that Fact?
A. That was in the Year 1780.

Q. The Converſation you mentioned in the Houſe of Commons?
A. Yes.

Q. Had you Converſation with Mr. Haſtings upon that Subject except that Time in the Year 1780?
A. I had Converſation with Mr. Haſtings, perhaps for Two or Three Months in the Year 1780; but I had no Converſation with him at the Time we were at Benares.

Q. Had you any Converſation with Mr. Haſtings upon the Subject between the Time of your Meeting him at Boglepore, and the Expulſion of Cheit Sing?
A. I believe not.

Q. Was any Offer made to Cheit Sing to carry that Sum of Two Lacks of Rupees to his Account in any Manner whatever?
A. Not that I know of.

Q. You never knew?
A. I never knew.

Q. Had you any Inſtructions from Mr. Haſtings to inform Cheit Sing that that Sum would be carried to his Account?
A. I never had.

Q. Cheit Sing never mentioned to you that Sum?
A. I believe I have anſwered that Queſtion before.

Q. You have ſaid, he behaved with apparent Submiſſion to you during the Time of your Reſidency?
A. He did.

Q. Did he not ſhew ſome Inſtances of Terror?
A. I mentioned them in my former Examination; but they appeared to be inſtantly done away from his Mind.

Q. Did you uſe any Argument to him in order to do away that Terror?
A. I told him, that Lieutenant Scott, when he appeared with his Sword drawn, was only acting in conformity to a Cuſtom in making a Report.

Q. Did not Cheit Sing expreſs himſelf very much hurt at the Affront that was offered to him?
A. He did.—It may be conſtrued, that I ſay it is an Affront by my anſwering it.

Q. No?
A. He did ſo.

Q. Did not Cheit Sing conſider the Arreſt as a very conſiderable Ignominy to him, and expreſs himſelf to that Purpoſe?
A. The Queſtion is rather ſtronger than any thing Cheit Sing ever expreſſed. He ſaid, Do not hurt my Honour: What can be the Uſe of a Guard? But with reſpect to the other Expreſſions, I believe they are in the Report of mine.

Q. Whether the arreſting a Prince in India, in the Midſt of his own Dominions, is not a conſiderable Inſult to him in the Eyes of his Subjects?
A. I do not conceive that Cheit Sing was in that Situation in which by the Queſtion it has been thought proper to place him.—Prince varies in its Signification; but I do not ſuppoſe it was a greater Inſult or Affront than William the Third arreſting the Duke of Marlborough, and confining him in the Tower, and of whom we hear honourable Mention made afterwards.

Q. Whether arreſting a Perſon of very high Rank in India is not in the Eyes of the People of India a very great Indignity?
A. I believe as much as it is in this Country.

Q. The Queſtion is meant to be applied to that particular Country?
A. As to that, I will explain myſelf: There was no Indignity offered to Cheit Sing which could deſtroy his Caſt; nor was there any Circumſtance in it, that I know of, that would have incapacitated him from again reſuming his former Situation.

Q. *(By a Lord.)* The Queſtion now put to you is this, Whether the ſimple Arreſtment of his Perſon without thoſe Circumſtances, according to the peculiar Stile and Manner of the Country, be looked upon as an Inſult or Indignity?
A. Not further than it is in this or any other Country.

Q. *(By Managers.)* In what Light was Cheit Sing conſidered by the Inhabitants of the Country who held under him?
A. As a Zemindar; at leaſt I never conſidered him as any other; nor did I ever hear that they did.

Q. Is it the Practice in India to appoint Reſidents at the Courts of Zemindars?
A. I do not know that it is a Cuſtom, nor was I appointed to the Court of Raja Cheit Sing.

Q. Is it the Practice of the Britiſh Government in India to appoint Reſidents to be near the Perſon of mere Zemindars?
A. In this Inſtance it certainly was.

Q. Is it uſual in India for Zemindars to have all the Powers, Privileges, and Prerogatives which belonged to Cheit Sing?
A. I believe that he was an Exception in that Reſpect.

Q. Had he not the whole Military Power within his Country?
A. No.

Q. Who had?
A. There was a large Military Force ſtationed at Chunargur.

Q. Is

Q. Is Chunargur within his Territories?
A. Chunargur is within his Territories.

Q. Within the Territory of Benares?
A. Within the Zemindary of Benares.

Q. Is it within the Territory of Raja Cheit Sing?
A. It is within the Territory of Raja Cheit Sing—It was, but not now, becauſe Cheit Sing is not a Zemindar: It is a Fort garriſoned by our Troops—our Officer commanding in it, and within the Territory of Benares.

Q. Whether the Fort of Chunar was within the Juriſdiction in any reſpect whatever of the Raja Cheit Sing?
A. The Queſtion is now varied; I thought it was with reſpect to the Situation of the Fort. The Commanding Officer had the only Power that I know of within his own Fort.

Q. Within the Fort of Chunargur?
A. Within the Fort of Chunargur.

Q. Whether Cheit Sing had not full and complete Military Authority within his own Dominions, of which Chunar is not a Part?
A. I was firſt aſked, Whether Cheit Sing had not the full Military Authority over the Troops in the Zemindary of Benares? I ſtated that he had not, becauſe there was a large Military Force in the Centre of his Zemindary.

Q. Is Chunar within his Pottah at all?
A. The Fort itſelf is not, but the Circar of Chunar is.

Q. Whether Cheit Sing had not the full and complete Military Authority within every Part of what was within his Pottah?
A. He certainly had.

Q. Whether he had not the complete Power of Civil and Criminal Juſtice?
A. It was granted to him by the Company.

Q. Whether he had not the Power of coining Money within his own Dominions?
A. That was granted him alſo by the Company.

Q. Whether in all thoſe Particulars he did not ſtand eminently diſtinguiſhed from every other Zemindar in Bengal?
A. I believe that the Company did not grant ſuch Privilege to any other Zemindar, and therefore he did ſtand ſingle and diſtinguiſhed.

Q. Whether the Poſſeſſion of all theſe Privileges and Prerogatives did not make his Subjects look up to him in a Situation ſomething like a Prince?
A. I cannot anſwer that Queſtion; becauſe, in the firſt place, I muſt anſwer for all his Subjects; and in the ſecond place, I muſt anſwer to ſomewhat like a Prince.

Q. Do you think the Duke of Wirtemberg any Thing like a Prince, or ſomething like a Prince?
A. I really do not know it.

Q. You was three Years reſident in that Country—Whether all thoſe Prerogatives did not make the People in general reſident in that Country conſider him as the Prince of the Country?
A. He certainly had the Power of Life and Death throughout the Whole of his Zemindary, except Chunargur; and as his Subjects (they were our Subjects) were not acquainted with the Terms upon which he had theſe and the other Privileges, they might look up to him in a higher Light than they ought to have done.

Q. Whether the Arreſt of a Perſon in the Situation you have deſcribed Cheit Sing to be, was not, in the Eyes of thoſe that looked upon him as their Maſter, a greater Indignity than the Arreſt of any other Zemindar in Bengal?
A. I cannot anſwer how they took this, becauſe I never heard that they did take it ſo; I never heard that they did look up to him in that Light.

Q. Did you never hear that the Subjects of Cheit Sing were very much ſurprized and aſtoniſhed, and incenied too, at the Arreſt of a Perſon whom they looked upon as their Prince?
A. Does the Queſtion mean by aſſiſting in the Rebellion, by their joining him in his Rebellion?—I believe that they joined with him from the Tenure that they held under him; from the feudal Tenure they held under him, which was the ſame as he held under us; they looked up to him as their Chief, in the Way that he ought to have looked up to the Company as his; and therefore they afforded him that Military Aſſiſtance which he ought to have afforded to the Company.

The

The Managers for the Commons desired the last Question and Answer might be read.

The same was accordingly read by the Clerk.

Q. The Question is, What Impression this Act of the Arrest of their Prince made on the Inhabitants of the Country?

A. My Answer states, that the Effect it had was, making them join him in Rebellion; which I conceive to be the Question put about their Astonishment.

Q. Whether the Inhabitants of the Country were not very much incensed upon Account of the Arrestment of a Person whom they looked upon to be their Prince?

A. They did not express it. The only Way in which I know that they expressed their Resentment, was by joining him. The People of Benares and the Merchants there, the most considerable, did not join with him, or assist him; and therefore I do not suppose that they were incensed.

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 23° Maij 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Counſel for the Defendant, they might proceed in their Evidence.

Then Mr. Markham was again called in, and croſs examined as follows:

Q. Whether you are ſure that the Whole of the Demands made upon Cheit Sing in the Years 1780 and 1781, and the Sums by him paid under various Names, together with his ordinary regular Military Eſtabliſhment, did not amount to a greater Sum than the Whole groſs Revenue of the Country as eſtimated by you?

A. I beg Leave to aſk whether I underſtand the Queſtion.—Whether the Malguzary paid by Cheit Sing, with the Two Lacs of Rupees that he gave to Mr. Haſtings, and which Mr. Haſtings uſed upon the public Service; the preſent I mean, made by Sadanund, with the Five Lacs of War Subſidy paid to Mr. Fowke, make the Queſtion; becauſe the Thouſand Horſe that were demanded of Cheit Sing did not cauſe an Exceſs in his Expence, as they were demanded as a Part which he could ſpare from his Ordinary Eſtabliſhment. Is that the Queſtion?

Q. *(by a Lord)* Whether you know the Amount of the Ordinary Eſtabliſhment of the Rajah, and of the Preſents and Payments of other Sorts, and of the Demands that were made upon him?

A. His Payment to the Company of his Malguzary was about 22 Lacs and an Half; there were Five Lacks that he paid to Mr. Fowke, War Subſidy; what the Expence of his Military Eſtabliſhment was I do not know; on the Suppoſition that he had furniſhed 1,000 Horſe, and that he paid 25 Rupees for the Man and Horſe, it would be Three Lacks more, for 1,000 Horſe.

Q. Whether you know what the ordinary Subſidy of Cheit Sing was?
A. The Malguzary?

Q. Yes?
A. It is upon the Evidence, about 22 Lacks and an Half, or 23 Lacks, I am not certain.

Q. What does the additional Exaction, which you call War Subſidy, amount to?
A. Five Lacks.

Q. What the Preſents to Mr. Haſtings amounted to?
A. Two Lacks.

Q. What the Exchange for the Remittance of all thoſe Sums of Money amount to?
A. I cannot inform you.

Q. Do you not think they amounted from Two to Fourteen ℔ Cent.?
A. The Exchange, as I Yeſterday ſtated, varied every Day.

Q. Do you think it was ever leſs than Two ℔ Cent.?
A. I do not believe it ever was leſs than Two ℔ Cent.

Q. Do you not think it ſometimes amounted to above Fourteen ℔ Cent.?
A. I have known Fourteen ℔ Cent. and I have known Two and an Half, which I put as Extremes.

Q. Whether Six ℔ Cent. be a proper Medium?
A. The Honble. Manager is carrying me away without Neceſſity, for the Exchange of 22 Lacks and an Half, or 23 Lacks, is ſettled in the Pottah and Cabooleat of the Rajah, and therefore I refer to that for a Certainty.

Q. Whether 6 per Cent. be a fair Medium?
A. The Fact is in the Pottah and Cabooleat.

Q. What in fact does the Remittance of Money from Benares to Calcutta coſt, upon an Average, as near as you can tell?

A. I will anſwer the Queſtion; that what he was to pay, was an Agreement between himſelf and the Company: But with reſpect to any other Sums, I can ſay more than what has been ſtated, which was 6 per Cent.—I ſhould ſay it might be 7, or more.

Q. The Rajah having kept up, as ſtated in Mr. Haſtings's Narrative, about 2,600 Cavalry and Infantry, what might be the Expence of ſuch an Eſtabliſhment?

A. I cannot anſwer the Queſtion, for I have not a Gueſs at it.

Q. Whether it muſt not amount at leaſt to 100,000l. Sterling a Year, or 150,000l.?

A. I have already ſtated, that I did not know the Pay of a Horſeman; but that I believed it might be about 25 Rupees a Month; ſo that 2,500 Horſe, at that Rate, would be 7 Lacks 50,000 Rupees.

Q. What did he pay his Infantry?

A. I have not a Gueſs what he paid his Infantry. Really, when I declare myſelf abſolutely ignorant of the Thing, how can it be expected to draw it out of me in this Way?

Q. Having ſaid, in your Examination in chief, that after paying his Eſtabliſhment, he might lay up 11 Lacks of Rupees, it was very probable you had made ſome Eſtimate of his Eſtabliſhment: but you ſay you do not know: Therefore, the Queſtion in general is, if it ſhould amount to 150,000 l. a Year, added to all other Expences, whether it would not make a larger Sum than his whole groſs Revenue?

A. The Queſtion refers to an Anſwer I made in my Examination in chief. I beg my Anſwer may be read.

The Queſtion and Anſwer were accordingly read by the Clerk as follows:

'Q. Whereabouts do you judge to have been the annual Expence of the Rajah's own Eſtabliſhment?'

'A. I really cannot at this Time recollect what I judged the Eſtabliſhment to be; but thus far I recollect, that I computed that he muſt have ſaved every Year about 11 Lacks.'

Then the Witneſs ſaid,

That 11 Lacks was, from his Acceſſion to the Zemindarry to the Time that that Five Lack was put upon him; I thought I had ſo mentioned it.

Q. From what Source was Mr. Haſtings to expect this Demand of £. 500,000 Penalty from him?

A. Upon my Statement of what Cheit Sing paid his Horſe, I hope it is not underſtood, that I have agreed to the Statement now made by the Queſtion; for I have not ſtated that Cheit Sing paid his Horſe in this Way.

Q. What Reſource could Mr. Haſtings look to, ſuppoſing your Statement to be true, for the Payment of the £. 500,000 Demand which he meant to have made upon Cheit Sing?

The Queſtion was objected to.

Q. (*by a Lord*) The Queſtion is, ſuppoſe Forty-ſeven Lacks to be his Annual Expenditure, from what Fund could Mr. Haſtings expect that he ſhould pay £. 500,000 more?

A. I humbly ſubmit that the Statement of the Honble. Manager is falſe; therefore I beg I may not be ſuppoſed to anſwer upon that Statement, which is falſe in my own Idea:—In the firſt Place, becauſe I do not conceive the Rajah Cheit Sing immediately paid his Cavalry from his Treaſury, or that he paid his Infantry ſo: Many of the Zemindars under him, as I underſtood, the Aumildars under him, were obliged to hold Horſe and Foot in Readineſs whenever they were called upon; and it is Part of the Syſtem throughout all India, except perhaps in our own Province.

Q. (*by a Lord*) Could Mr. Haſtings expect he had any other Funds except his Annual Revenues—any Treaſures?

A. Yes.

Q. Having ſaid that you deny the Rajah was to pay his Horſe and Foot Eſtabliſhment out of his Revenue—inform the Court how you know it?

A. I think the Horſe and Foot are put, by the Queſtion, in ſuch a Way, as if I meant the Whole of his Army. I did not intend to ſay ſo: with reſpect to my Knowledge of it, I can only ſay, in the Narrative you will find it given in upon Oath; and it was a Thing that I always underſtood, when at Benares, to have been the Caſe with the Rajah Cheit Sing.

Q. What Narrative do you allude to?

A. The Benares Narrative.

Q. What,

Q. What is the Benares Narrative?
A. I believe it is upon the Proceedings.

Q. As Reſident of Benares, do you know whether Cheit Sing's Army of 7,600 Horſe and Foot was maintained in the Way you ſpeak of, and how you come to know it, and what Document you have to prove it?
A. I really think in the Two or Three former Anſwers I have given, I have explained myſelf upon this Buſineſs. I ſtated that I did not mean to ſay, that the Whole of Cheit Sing's Army was kept up by his Aumildars, but that it was in Part; what Part I cannot ſay.

Q. In what Part of the 7,600 Men?
A. I have never ſaid any Thing about 7,600 Men; and I rather imagine that the Queſtion takes that 7,600 Men from the Narrative that I have been ſpeaking of; if ſo, let the Statement in the Narrative prove the Aſſertion in the Narrative.

Q. Whether you know that any Part of the Army was paid by the Aumildars?
A. I moſt firmly believe it; but as to ſeeing it paid, or any other Way of making it Evidence, I cannot ſay.

Q. Can you refer to any Document whatſoever upon the Subject?
A. I have none.

Q. Then upon what Grounds are you pleaſed to ſay that the Hypotheſis which is ſtated is falſe?
A. I ſaid that I believed Part of theſe Troops were furniſhed by the Aumildars, therefore that Part was not paid from the Treaſury.

Q. (*by a Lord*) The Hypotheſis was of the Payment of certain Expences incurred by the Rajah, which you ſaid you did not know of, and which you believed to be falſe?
A. Therefore, ſo far as thoſe People whom I believe were not paid by Cheit Sing went, I believe the Hypotheſis to be falſe.

Q. (*by Managers*) What Knowledge have you of the Treaſures of Cheit Sing and of their Amount?
A. I could only go from Information I received from other People, and from hearing that Bulwant Sing had left great Treaſures, and from the Suppoſition, that having rented the Country at a low Rate, and himſelf, as I have heard, a near Man, he muſt have laid by a large Surplus, and I believe that Cheit Sing did lay by a large Surplus, from the Time of his Acceſſion to the Zem[illegible]ary, to the Time we are ſpeaking of; more particularly to the Year 1778, which was before the firſt War Subſidy demanded of him.

Q. From whom have you received the Information you mention?
A. I have heard it from Ouſaun Sing, who had been the principal and confidential Servant of Bulwant Sing, but who was at that Time at Enmity with the Rajah. I have heard it from other People; but I cannot ſpecify from whom.

Q. Do you not know that Ouſaun Sing was a Man of bad Character, and a great Enemy to the Rajah?
A. That I muſt alſo ſpeak to from Hearſay.

Q. Was his general Character good or bad?
A. It is a delicate Queſtion to anſwer, becauſe in it I may deſtroy the Character of a Woman.

Q. Whether Ouſaun Sing was not known to be a Man of bad Character; was he a Man of Veracity?
A. I believe as much ſo as the Natives in general of his Rank are; his Enmity, as I have underſtood, to the Rajah, or the Rajah's Enmity to Ouſaun Sing, I ſhould ſay, was upon an Affair of Gallantry.

Q. Did you believe him, when he gave you this Account of the Circumſtances of Bulwant Sing and Cheit Sing?
I did.

Q. Was he a Man of Veracity or not? Did you conſider him as a Man of Honour and Veracity, or not?
A. I had had a very high Opinion of Ouſaun Sing, but in the after Settlement with Rajah Mehipnarrain, I had Reaſon not again to truſt him.

Q. Whether you do not know that it is a uſual Thing, that, when the Princes of the Eaſt have received from their Superiors any new Grants of Inveſtiture, large Sums of Money have been exacted from them?
A. I have heard that it was the Cuſtom.

Q. And

Q. And whether you are not of Opinion, that Cheit Sing probably did pay large Sums to the Nabob and his Miniſters for his Firſt Inveſtiture?

Queſtion objected to.

Q. Do you know whether he did or did not pay large Sums of Money to the Nabob?
A. Cheit Sing's Inveſtiture was very many Years before I was in India.

Q. Then you cannot ſwear that he did not?
A. No; I cannot.

Q. Upon the Degree of Information and Knowledge you have, whether it is not the Cuſtom upon the Inveſtiture of ſubordinate Princes by their Superior, that he ſhould have large Sums of Money from them?
A. I believe it was the Cuſtom.

Q. (*by a Lord.*) Do you know any Thing more of its being probable, except its being the Cuſtom, or not?
A. I do not.

Q. If Mr. Haſtings had demanded 500,000 l. of Cheit Sing, and he had pleaded Inability to pay it, what Mode of recovering it did Mr. Haſtings mention to you?
A. I do not know that Mr. Haſtings mentioned any Mode of recovering it.

Q. You ſay you propoſed to Mr. Haſtings Impriſonment as a Mode of recovering it, do you adhere to that Anſwer?
A. I believe I ſtated, that if Mr. Haſtings intended any ſtrong Meaſure with reſpect to Cheit Sing in the Firſt Inſtance, he ought to be arreſted, leſt he ſhould fly to his Forts, and conſequently into Rebellion.

Q. Then you knew by Mr. Haſtings adopting that Plan, that he did mean to uſe compulſory Meaſures?
A. I know it by a better Mode, by Mr. Haſtings having informed me that he intended to take 50 Lacks.

The Managers for the Commons deſired the Queſtion and Anſwer touching the Mode of recovering it might be read.

The ſame was accordingly read by the Clerk, as follows:

'Q. If Mr. Haſtings had demanded 500,000 l. of Cheit Sing, and he had pleaded Inability 'to pay it, what Mode of recovering it did Mr. Haſtings mention to you?
'A. I do not know that Mr. Haſtings mentioned any Mode of recovering it.'

Q. Whether he did not impriſon him in order to obtain it?
A. He was impriſoned—arreſted;—"impriſoned" is a ſtrong Word.

Q. Then, if he had refuſed to pay upon the Arreſt, what other Meaſures were propoſed upon that Occaſion?
A. The 50 Lacks were never demanded of Cheit Sing.—I arreſted him, and was to have returned with Inſtructions, as well as I recollect them, for I ſaw them but for a Moment, that he ſhould ſend his Mutſuddies to Mr. Haſtings; that he ſhould give Orders to his Killedars to deliver up the Forts if required, I ought to have mentioned Sadanund Buxey particularly, with the Mutſuddies. There was ſome other Order; I will try to recollect it—I don't immediately recollect it—if I do, I will mention it in the Courſe of my Examination without being called for.

Q. Have you any Note of thoſe Inſtructions in Writing?
A. I have not.

Q. Were they verbal, or given in Writing?
A. In Writing.

Q. Where is the Writing?
A. I really cannot ſay: The Diſturbance in the Houſe followed ſo immediately, that whether it was in my Poſſeſſion or not I do not know.

Q. For what Purpoſe do you conceive the Order, for the delivering up of the Forts to Mr. Haſtings by the Killedars, to have been given?
A. It was not mentioned to me?

Q. What do you apprehend to be the Ground of it?
A. To prevent a Rebellion, (I am ſtating upon Suſpicion,) upon the Seizure of Cheit Sing; and I am now ſpeaking looſely, perhaps to know what Sum of Money would have been a proper Fine upon Cheit Sing; but this was not mentioned to me.

Q. Then

Q. Then you was apprehenſive that the Arreſt of Cheit Sing would produce a Rebellion?

A. It certainly was right to uſe every Means to prevent one; but I am ſtating this from the Queſtion put to me at this Moment; and not as the Recollection of the Idea at the Time.

Q. Pray for what Purpoſe was Cheit Sing arreſted?

The Managers were informed that the Witneſs had already ſaid, to prevent his flying to the Forts.

Q. Was that the only Reaſon?
A. I believe that was the only Reaſon.

Q. For what Reaſon was you apprehenſive that Cheit Sing would fly to the Forts?
A. Becauſe upon his meeting Mr. Haſtings upon the River, he had carried a large Body of Men, which indicated Apprehenſion, or an Intention of Reſiſtance.

Q. Do you mean to ſay that his Meeting Mr. Haſtings with a large Body of Men, indicated an Intention to fly?
A. I ſtate, that it indicated an Intention to reſiſt.

Q. To reſiſt what?
A. To reſiſt Mr. Haſtings in any compulſory Meaſure which he expected, as he was well aware of his own Delinquency.

Q. Had Cheit Sing any Reaſon to expect any compulſory Meaſures from Mr. Haſtings?
A. He had; but not communicated to him by our Government?

Q. Do you know that?
A. I do.

Q. How do you know that?
A. I had Intelligence from a Perſon from Ramnagur.

Q. State the Dates.
A. I believe that it was about the Month of May, that the Rajah had received Letters from Calcutta, ſaying, that our Government would puniſh him for his Contumacy in not furniſhing the Horſe, and that it was intended to take Six Lacks of Rupees from him in the ſame Manner as they had done the Five Lacks or War Subſidy. Two Days afterwards the Rajah came over to me, and, in the Courſe of Converſation, aſked me 'if I had received Letters from Calcutta, and 'what they mentioned.' As a Motive for his furniſhing the Horſe, I ſaid, 'that they certainly con-'ſidered his Conduct as very contumacious, and that he certainly would bring down ſome Puniſh-'ment upon himſelf.' In the Courſe of the Converſation he hinted, or aſked, if I had heard any Thing of Six Lacks, and if I thought it poſſible to buy off by a Sum of Money, both the Five Lacks, and theſe Six, which he underſtood was talked of. I knew of the Diſtreſſes of the Company at the Time, and aſked him what Sum he would engage to pay; he talked of Twenty Lacks; I ſaid, I thought it too ſmall a Sum, conſidering his Riches: a Day or Two after he came as high as Twenty-two Lacks, by a Meſſage through Sudanund; but in ſome Days after this, finding the Intelligence he had received not founded with reſpect to the Six Lacks, he broke off the Negotiation altogether. I had no Orders from Mr. Haſtings to enter into any ſuch Negociation.

Q. Who conveyed to you that Intelligence?
A. To the beſt of my Recollection it was one Runnoo Sing.

Q. Who was Runnoo Sing?
A. I have heard that he was once Killedar, I believe, of Beechagur, to Bulwant Sing.

Q. What was he at the Time he gave you the Intelligence?
A. I was going to ſay, he was afterwards in the Service of Oofaun Sing; he had diſagreed with Oofaun Sing, and was at this Time reſiding privately at Benares without Employ.

Q. Did Runnoo Sing ſtate to you how he came by this Intelligence?
A. He was intimate with ſome one of the Rajah's confidential People; whom I never knew.

Q. Did you ever communicate this Converſation to Mr. Haſtings?
A. I did.

Q. When?
A. At the Time, I ſuppoſe.

Q. Did you do it by Letter?
A. Of courſe.

Q. Is that Letter upon your Correſpondence?
A. It is not. Mr. Haſtings may have the Letter.

Q. Is it upon your public Correſpondence?
A. It is not; nor do I think it a fit one to be upon the public Correſpondence.

Q. Why was it not fit to be upon the public Correſpondence?
A. I did not think it was a fit Letter to be upon the public Correſpondence; and I do not think the Honourable Manager has a Right to aſk more.

Q. For what Reaſon was it not?
A. I do not immediately recollect the Reaſon at the Time; but I humbly conceive there are many Letters that may be fit for the Peruſal of an Individual, which are not fit for the Peruſal of the Board. I take the Manager's own Words.

Q. What was there in this Letter that made it not fit for the Peruſal of your Maſters?
A. It was a Thing in Idea only, and the Correſpondence was immediately broken off—the Negociation was immediately broken off between Cheit Sing and myſelf.

Q. Did Mr. Haſtings return you any Anſwer to that Letter?
A. He did not.

Q. You have ſaid that Cheit Sing broke off the Negociation upon his being informed his Suſpicions upon that Subject were groundleſs?
A. Of the Six Lacks? Yes.

Q. Did Cheit Sing inform you why he had changed his Opinion with reſpect to that Subject? what Reaſon he had to think the Intentions groundleſs?
A. I never afterwards, to my Knowledge, talked to him upon the Subject?

Q. You have ſtated, that Cheit Sing had Reaſon to expect that Mr. Haſtings intended to take ſome Meaſures againſt him, and you have ſtated Cheit Sing's Knowledge of the Fact to ariſe from the Circumſtance of the Six Lacks—now, after Cheit Sing knew or believed that that Intention of demanding the Six Lacks was ill-founded, had he any other Reaſon than that for ſuppoſing Mr. Haſtings had intended any ſtrong Meaſures againſt him?
A. The Knowledge of his own Fault, to my Belief, ſtill kept the Suſpicion alive—I do not know that any Thing elſe was communicated to him to alarm him.

Q. No other?
A. No other.

Q. Then, what Reaſon had Cheit Sing, when he met Mr. Haſtings, or before he went down to meet Mr. Haſtings at Buxar, for ſuppoſing Mr. Haſtings intended any ſtrong Meaſures againſt him?
A. It cannot be expected that I ſhould give an Account of Cheit Sing's Reaſons.

Q. Whether you know of any Reaſon given to Cheit Sing's Mind for Apprehenſion?
A. I do not know of any Reaſon given.

Q. Whether there was any Thing in Cheit Sing's Conduct, from the Time Mr. Haſtings met him at Buxar, till the Time he ſaw him at Benares, which indicated, in the ſmalleſt Degree, an Intention to fly?
A. I have already ſtated, that I was not with Mr. Haſtings from Buxar to Benares, and I do not know that Mr. Haſtings did, at the Time, give Cheit Sing any Cauſe for Alarm.

Q. Whether you know of any Indication of Cheit Sing's Intention to fly, between the Time of meeting Mr. Haſtings at Buxar, and the Time when he came to Benares?
A. I do not.

Q. Was it not in the Power of Cheit Sing to have fled to thoſe Forts you have been talking of, either before he met Mr. Haſtings at Buxar, or in the Interval between his meeting him at Buxar and his going up to Benares?
A. It certainly was in his Power to have fled then—though it was not his Intereſt.

Q. Was it any more his Intereſt to fly then, than it was to fly afterwards?
A. I think his Intereſt was to have ſtaid in his Confinement, and not to have aſſaſſinated the Guard.

Q. What Time of the Day was it you carried Mr. Haſtings's Firſt Orders to arreſt Cheit Sing?
A. It was before my uſual Time of Breakfaſt—perhaps Eight o'Clock.

Q. When did you leave Cheit Sing, after arreſting him?
A. I believe I have ſtated it in my former Evidence, it might be Ten or Half after Ten when I returned to Mr. Haſtings.

Q. Did

Q. Did you ſee any Appearance of Danger, or were you apprehenſive of any Danger during the time you was with Cheit Sing?

A. I did not apprehend Danger becauſe Cheit Sing's Life muſt have gone before my own, and I thought was a ſufficient Security for me.

Q. Several Letters paſſed between Mr. Haſtings and Cheit Sing in the Courſe of that Day?

A. I believe Cheit Sing did write to Mr. Haſtings with Profeſſions which were certainly falſe, becauſe Suddanund, as was afterwards certified to me, and as I had afterwards good Reaſon to believe, had already written for a Force, to Ramnagur.

Q. How do you know that, or do you know it at all?

A. I heard it I believe from Durbedgey Sing, and others.

Q. Why, after you had Suddanund in your Poſſeſſion, did not you puniſh Suddanund, or enquire into that Affair?

A. I never ſaw Suddanund, or had him in my Poſſeſſion after that Day at Shewallah.

Q. Did you not continue Suddanund in Employment under Durbedjey Sing?

A. Never.

Q. Was he not continued in it?

A. Not in my Time, nor to my Knowledge ſince.

Q. Was he in the Country?

A. Not while I was Reſident, and I have not heard of it ſince.

Q. Do you know where he was?

A. He went off with the Rajah.

Q. Did you ever enquire after him?

A. I never had any Occaſion, he was with the Rajah at Malva, in the Camp with Madajee Scindia.

Q. Mr. Haſtings ſays, in his Letter to Cheit Sing, 'I have received your Two Arzies from 'the Hands of Mr. Markham, and underſtand their Contents; that Gentleman will wait on you 'in the Afternoon, and explain Particulars.' (*a*) What Particulars were you to explain?

A. The Inſtructions were what I have already ſtated; thoſe were the Particulars.

Q. Were thoſe all the Inſtructions you had?

A. I have mentioned, that there is ſome one, I believe of no great Magnitude, that I don't recollect.

Q. I think you ſaid, One of the Inſtructions was to deliver up the Forts; and the other to ſend him up Suddanund and the Mutſuddies—were thoſe all the Inſtructions, either written or verbal, which you had from Mr. Haſtings?

A. They were. I am not certain whether the Third Order that I was to ſtate to Cheit Sing, was not an Intention of fining him; but the Sum, I am very ſure, or any Sum, was not mentioned.

Q. Do I underſtand you right, when I underſtand you to ſay, thoſe were all the Inſtructions given you by Mr. Haſtings, either written or verbal?

A. To the beſt of my Recollection and Belief, they were.

Q. For what Purpoſe were the Mutſuddies to be ſent to Mr. Haſtings?

A. I do not recollect that Mr. Haſtings ſtated it—The Third, that I could not recollect, was, that Mr. Haſtings had appointed Oufaun Sing Naib, until a Settlement was made between Mr. Haſtings and the Rajah.

Q. Do you, or not, know that Ooſaun Sing was a Man particularly obnoxious to the Rajah Cheit Sing?

A. I believe he was obnoxious to Cheit Sing.

Q. Whether the Appointment of the Naib under Cheit Sing was not an Appointment purely in Cheit Sing's Power?

A. Not when he was in Confinement.

Q. Whether the Appointment of Naib in general, was not an Appointment purely in the Power of Cheit Sing before you arreſted him?

A. It certainly was in his Power; but I don't know that he ever had a Naib.

Q. Do you mean to ſay, that Cheit Sing has never had a Naib?

A. Not unleſs it was Ooſaun Sing, when Cheit Sing was firſt appointed, when Rajah Cheit Sing was a Minor.

(*a*) Vide ſupra, Page 118.

Q. Whether

Q. Whether the Naib is not the Adminiſtrator of the Whole of the Government of the Country?

A. There was no Man ſo denominated while I was Aſſiſtant or Reſident at Benares till this Appointment; and as Cheit Sing was in Arreſt, a Naib was appointed, that the Affairs of the Zemindary might not fall into Confuſion.

Q. Then, was there any Intention of keeping Cheit Sing any Time in this Confinement?

A. Not that I know of.

Q. Then, why was it neceſſary for the Appointment of the Naib?

A. To carry on Government, even if it had been but for a Day; or it muſt have been an Anarchy.

Q. Then you ſtate, the Arreſt of Cheit Sing muſt have neceſſarily reduced the Government to an Anarchy, unleſs another Governor was in his Place?

A. We muſt come to the Meaning of the Word 'Anarchy;' I meant it only, that being no Governor, there could be no Government.

Q. Then, you are underſtood to ſtate, that the Arreſt of Cheit Sing deſtroyed the Government of the Country?

A. Every one looked up to Cheit Sing, as the Perſon who was to receive the Collections; and it was neceſſary there ſhould be ſome one Perſon in that Place till he ſhould be releaſed.

Q. What is the Office of Naib?

A. I believe the Meaning is, Deputy.

Q. Do you not know that Cheit Sing was particularly apprehenſive of this Appointment taking place, prior to the Time he met Mr. Haſtings, or prior to the Time Mr. Haſtings arreſted him?

A. I do not know that he was apprehenſive of that Appointment taking place in the Perſon of Ooſaun Sing.

Q. Do you, or not, know whether Cheit Sing expreſſed to Mr. Haſtings his peculiar Apprehenſion on that Subject?

A. I know that he was aprehenſive of Ooſaun Sing; but I do not know that he ever expected he ſhould be put into ſuch an Appointment.

Q. What was the general Character of this Perſon, whom Mr. Haſtings appointed Deputy in Benares?

A. He was conſidered as well verſed in the Collections of the Country, attached formerly very particularly to the Rajah, but Diſagreements had happened between them with reſpect to the Rajah's own Family.

Q. What was the general Character of Ooſaun Sing in the Country?

A. I ſaid that he was conſidered as a good Collector; I believe able in the Collection.

Q. What was the general Character, was it good or bad?

A. He was characterized as the Father of the Rajah, if I muſt ſay it, and they diſagreed; and it was on Account of an After-intrigue with the Mother, as I underſtood, that the Diſagreement happened.

Q. Was his Character good generally or bad?

A. I never heard of any Thing bad againſt his Character at this Time; I aftewards learnt from Mr. Haſtings, that he impeded the Settlement with Rajah Mehipnarian, for which Reaſon Mr. Haſtings ſent him to his Jaghire at Syedpore: I never heard any Thing further againſt his Character.

Q. Whom did Mr. Haſtings appoint to ſucceed to the Rajahſhip of Benares, after Cheit Sing fled.

A. Rajah Mehipnarain.

Q. Whom did he appoint Naib?

A. The Father, Durbidjey Sing.

Q. Why was not Ooſaun Sing firſt appointed?

A. I have ſtated already, that he was appointed immediately after the Arreſt of Cheit Sing.

Q. But, after Cheit Sing fled?

A. I do not recollect that he was; but I imagine it is a Matter of no Conſequence.

Q. Was he not appointed?

A. I do not recollect that he was.

Q. At what Time, and when, did Ooſaun Sing impede the Settlement with Rajah Mehipnarain?

A. At Benares; after the Troubles were over.

Q. In

Q. In what Manner did he impede that Settlement?
A. Mr. Haſtings was aſſiſted principally by Mr. Anderſon in that Settlement; and I do not know the Particulars.

Q. Do you know any Thing of the Difference between Ooſaun Sing and Mr. Haſtings, upon the Subject of an alleged Promiſe from Mr. Haſtings to him, that he ſhould ſucceed to the Rajah?
A. I never heard it; nor do I believe it.

Q. Did Ooſaun Sing accompany Mr. Haſtings from Calcutta?
A. He did not.

Q. What Time did he arrive at Benares, prior to the Arreſt of the Rajah?
A. Ooſaun Sing's Jaghire and Houſe were about 11 Cos from Benares where I believe he had always reſided, from the Time that I was Firſt Aſſiſtant, to the Time we have now been ſpeaking of.

Q. Was he not at Calcutta at or about the Time Mr. Haſtings left it?
A. He certainly was not—I think.

Q. I think you ſaid, you went to Mr. Haſtings about 10 o'Clock in the Forenoon, and were to return in the Afternoon; in the Interval between thoſe Periods, the Riots at Shewallah Ghaut happened?
A. Yes.

Q. You ſent the Chubdar to Cheit Sing with a Meſſage?
A. I ſtated, that I was not ſure whether Mr. Haſtings gave the Meſſage, or whether I gave the Meſſage, or whether we did not both of us ſpeak to the Chubdar.

Q. Had that Chubdar ever been in the Service of Cheit Sing?
A. Not that I know of.

Q. Do you know what paſſed between the Chubdar and Cheit Sing?
A. I underſtood that he delivered the Meſſage given to him, and that the Rajah turned round quickly, ſaying, 'Who am I? and who are you?' The Chubdar putting his Hands together, ſaid, 'You are Rajah Cheit Sing: I am only Cheit Ram:' At which Inſtant the Firing began on the outſide.

Q. Did no Body ſtrike the Chubdar?
A. Does the Queſtion mean—kill him?

Q. No;—ſtrike him.
A. Not that I know of;—he was killed.

Q. Whether, from every Information you have been able to collect, upon giving that Anſwer, Cheit Ram was not immediately ſtruck by ſome Body?
A. I believe that he was puſhed from the Rajah. I believe there is ſome Affidavit ſtates, that he was puſhed from the Rajah; but by every Account that I heard, I believe myſelf, the Maſſacre at Shewallah Ghaut was not in the leaſt occaſioned by the Meſſage delivered by the Chubdar.

Q. Who were by and in the Room with the Rajah, at the Time this Meſſage was delivered, as far as you have been able to recollect?
A. The Rajah, as I underſtood, was on the Outſide, and not in the Room.

Q. Wherever he was, who was with him?
A. Mr. Stalker was with him, or was near him; and who elſe I do not know.

Q. What Natives were there with him?—Do you know?
A. Does the Queſtion mean within the Wall?

Q. Yes?
A. There were moſt of the Servants, or all the Servants of the Rajah that I had left there with Orders to be turned out. Munnihar Sing, and Nunkoo Sing, I underſtood, had been admitted. Mr. Stalker's Moonſhy was there, the younger Moolavy, and others whom I do not know, and whom I do not recollect.

Q. Who began the Affray?
A. The Rajah's Forces, on the outſide of the two Walls.

Q. Was there no Affray began on the inſide.
A. Not till it firſt commenced without.

Q. Were thoſe Forces regular Troops?
A. I mean regular Troops.

Q. Were thoſe Troops in a Situation to ſee the Rajah, and to ſee what paſſed within?
A. It was impoſſible.

Q. What

Q. What became of Nunkoo Sing?
A. Nunkoo Sing fled with the Rajah, and afterwards, upon the Amneſty being publiſhed, was returning with Mr. Haſtings's Paſſport, got through Rajah Govindram, to Benares. The Commanding Officer at Chunargur, hearing of his coming with ſome little Force, ſent a Detachment to Mirzapore, which alarmed Nunkoo Sing, and he went away; he had afterwards Aſſurances, that this was by Miſtake.

Q. Then, he came back?
A. I do not recollect whether he came back upon that or not. I do not recollect ſeeing him; but he had my Perwannah to come back.

Q. Whether Nunkoo Sing ever was examined, or any Enquiry ever made of him, reſpecting the Commencement of this Affray?
A. I never ſaw Nunkoo Sing, nor do I know that he was ever at Benares afterwards.

Q. Did you make any Attempt to have Nunkoo Sing examined, with reſpect to the Particulars of this Affray, which happenned at Shewallah Ghaut?
A. It was impoſſible I ſhould.

Q. Why was it impoſſible?
A. Becauſe I never ſaw Nunkoo Sing, nor do I know that he was ever in our Territories after he left Mirzapore.

Q. Did not Captain Blair deſire you to permit him to take Nunkoo Sing?
A. I do not recollect that Captain Blair did, but Colonel Blair did attempt the Thing himſelf, upon which I repreſented his improper Interference to the Board. There was an Altercation between us, and I wrote a Letter to the Board upon the Occaſion.

Q. You are underſtood to ſay, you never made any Attempt whatever, to have Nunkoo Sing examined reſpecting the Particulars of this Affray that happened at Shewallah Ghaut?
A. I certainly never did, nor was it from my Motion that any one Affidavit was taken.

Q. At whoſe Motion were the Affidavits taken?
A. I can only ſpeak from Hearſay.

Q. At whoſe Motion?

Queſtion objected to.

Q. Who wrote that Narrative, or what is called the Narrative?
A. I have always underſtood it to be written by Mr. Haſtings.

Q. Do you know any Thing of the Compoſition of the Narrative?
A. If the Queſtion means, whether I wrote any Part of it, I did not.

Q. Was you preſent when the Affidavits for the Narrative were collected?
A. I was not.

Q. Had you any Converſation with Mr. Haſtings reſpecting the Compoſition of that Narrative?
A. I had not.

Q. Was you at Benares at the Time that it was compoſed?
A. I really cannot ſay at what Time Mr. Haſtings wrote it, whether at Chunar or at Benares.

Q. Was you there when the Affidavits were taken?
A. I was at Benares and at Chunar.

Q. Do you know a Perſon of the Name of Govind Ram?
A. I know Three or Four Perſons of the Name of Govind Ram?

Q. Whether you know a Perſon who came to Colonel Gardner from Cheit Sing, after his Fault, to deſire him to deſire you to apply to Mr. Haſtings?
A. I do not know whether it was Rajah Govind Ram, whether it was Govind Ram, the Brother of Beneram, or whether it was a Merchant named Govind Ram.

Q. Do you know of any ſuch Application?
A. I do not recollect, but I have no Doubt, but that as Major Gardner has ſtated it, that he did make the Application to me, becauſe I at this Moment feel that I ſhould have made the ſame Anſwer that I did at that Time.

Q. Do you remember the Converſation that paſſed?
A. I do not, I ſhould ſuppoſe therefore it was no long Converſation. 'How could you apply for the Murderer of your Friend?' That was what I then ſtated to Major Gardner, and what I now feel.

Q. Do

Q. Do you know of any Applications that was made by Cheit Sing to Mr. Haſtings, for Pardon or Forgiveneſs?

A. I believe that there were, but they never came through me.

Q. Do you know any Thing of them?

A. No further than hearing of them at the Time, and that there are Letters to that Purport in the Narrative.

Q. How long did Mr. Haſtings ſtay at Benares after the Affair of Shewallah Ghaut?

A. I do not recollect how long Mr. Haſtings ſtaid at Benares or at Chunar.

Q. After the Affair at Shewallah Ghaut?

A. The Affair of Shewallah Ghaut happened on the 16th, and I believe we left Benares the 21ſt.

Q. Whether it was not in Cheit Sing's Power to have cut off Mr. Haſtings and his whole Party, any Part of thoſe Four Days, if he had been ſo inclined?

A. His Inclination I had no Doubt of.

Q. Was it in his Power?

A. Whether it was or not in his Power, the Event would have juſtified—it was not attempted becauſe he could not croſs the River with his Guns.

Q. For what Reaſon did Mr. Haſtings leave Benares?

A. Becauſe we had certain Intelligence that he had intended it, I believe, on the 19th, and that he did intend it on the 21ſt.

Q. Intend, what?

A. Intending an Attack upon the Reſident's Houſe, where we were.

Q. What Amount was collected from Benares during the Years 1781 and 1782. The total Collections, if you recollect?

A. That is, from the Appointment of Durbedgy Sing as Naib, to his Diſmiſſion from the Office, he collected 36 Lac 40 odd Thouſand Rupees.

Q. Do you mean Nett or Groſs?

A. Nett.

Q. How much did Jagger Deo Seo collect?

A. I have not anſwered the Firſt Queſtion; but he had let ſome Aumils to his Son, the Rajah, who owed him 1,50,000 Rupees, and his Brother Serraub Cheit Sing was likewiſe indebted to him 1,80,000 Rupees, beſides the Duties that he collected from the 26th April 1782, to the Concluſion of the Year, which I eſtimated.

Q. What did you eſtimate it at?

A. I remember, I eſtimated what would be the probable Amount of the Duties, at the Rate of Three Lacks a Year; this was only Four Months in the Year, ſo I ſhould only rate it at one Lack. But then it muſt be recollected, that in this Year, Mr. Haſtings had remitted to the Country 6,66,666 Rupees, upon Account of Pymally, and the Lateneſs of the Seaſon at which Durbedgy Sing took it.

Q. How much was collected under Jagger Deo Sing?

A. Jagger Deo Sing was appointed in the Month of November, and I left Benares in the April following, therefore I cannot ſtate it.

Q. What was the Expence of the Reſident's Office at Benares?

A. I do not underſtand the Queſtion.

Q. What was the Expence attending the Reſident's Office at Benares?—Was not the Expence of the Reſident's Office paid by the Rajah?

A. No.

Q. Was not the Reſident of Benares in Poſſeſſion of the Monopoly of Opium before you went there.—The Reſident prior to you?

A. If the Queſtion intends to aſk me any Thing with reſpect to myſelf privately, my private Intereſt, I ſubmit whether I am obliged to anſwer.

Q. The Reſident prior to you?

A. I believe he was.

Q. What was the annual Value of the Monopoly of Opium?

A. Mr. Fowke never communicated to me what his Advantages were; and I do not mean to ſtate any Thing relative to myſelf in private Tranſactions.

Q. Do

Q. Do you know it at all?
A. If it is declared the Queſtion is not meant to examine me upon any Advantages, which perhaps were not exactly according to the Letters of the Order of the Company, I ſhall have no Objection to anſwering the Queſtion; but I believe I need not anſwer any Queſtion which may tend to criminate myſelf.

Q. The Queſtion here is, whether you have any Knowledge of the Profit made by Mr. Fowke, of the Opium?
A. I do not know.

Q. Do you not know what the Value of the Monopoly of Opium was to the Reſident, that went either before you or after you?
A. I believe that in that Country there was made about 475 Cheſts of Opium, and I believe that each of thoſe Cheſts coſt above 200 Rupees.

Q. What did they ſell for?
A. I really do not know.

Q. Of your own Knowledge?
A. I do not know.

Q. Then, you do not know what Charge the Manufacture of Opium was upon the Country of Cheit Sing?
A. I ſhould rather imagine it was a Benefit to the Collection.

Q. Had not the Reſident at Benares the Monopoly of Saltpetre?
A. Is the Queſtion aſked with reſpect to myſelf?

Q. Do you know whether Mr. Fowke had the Monopoly of Saltpetre?
A. I believe he had.

Q. Do you know any Thing of it?
A. No, I do not.

Q. Had Mr. Fowke any other Emoluments from the Country, except the Monopoly of Opium and Saltpetre?
A. I do not know that he had.

Q. Was you not ſent to Nuddeah by Mr. Haſtings?
A. I was.

Q. Do you know a Perſon of the Name of Sherap Salla Cawn?
A. Mr. Haſtings's Moonſhy had nearly that Name.

Q. Was he at Nuddeah at the Time you were there?
A. He was.

Q. Did he go before or after you?
A. I really do not recollect.

Q. For what Purpoſe were you ſent to Nuddeah?
A. To bear Teſtimony to the old Rajah's making over all Rights to his Son. But I beg Leave to obſerve, that this was before I went up to Benares as Reſident, and while I was private Secretary to Mr. Haſtings.

Q. Whether you know any Thing of a Bond, or a Sum of Money, or a Teep, that was given to Mr. Haſtings by the Rajah of Nuddeah?
A. I do not.

Q. Was you ever told of ſuch a Thing, by Mr. Haſtings, when you was at Nuddeah?
A. I was not told by Mr. Haſtings.

Q. And you know nothing of the Gift?
A. And I know nothing of the Gift.—I was not told by Mr. Haſtings, or Shuddeadoolat Khan, and I know nothing of the Gift.

Q. For what Purpoſe was Shuddeadoolat Khan ſent up to Nuddeah?
A. I do not know, nor do I believe it was mentioned to me.

Q. Was you with Mr. Haſtings at Chunar?
A. I was, in 1781.

Q. Was you there when the Vizier was there?
A. I was. I viſited the Vizier with Mr. Haſtings.

Q. Do you know any Thing of a Sum of Money of 100,000 l. that was given to Mr. Haſtings, by the Vizier, at that Time?
A. I do not.

Q. Do

Q. Do you know any Thing of that, or ſome ſuch Sum of Money, being given to Mr. Haſtings, at or about that Time?

A. I never did hear of any ſuch Thing till it became public, and I underſtood that the Money was converted to the Uſe of the Company.

Q. Do you know any Thing of a Sum of Money that was paid to Mr. Haſtings from Dinagepore?

A. I do not.

Q. Do you know of a Plan for eſtabliſhing a Committee of Revenue at Calcutta, that was carried into Execution by Mr. Haſtings?

A. I do recollect there was ſuch a Thing.

Q. Whoſe Plan was it?

A. While I was Mr. Haſtings's private Secretary, and as far as I can recollect ſuch a Thing at this Time, I believe it was Mr. Haſtings's Plan.

Q. Do you, or do you not know that it was Gungo Govind Sing's Plan?

A. I do not know that it was Gungo Govind Sing's Plan, though the Idea might originally have come from him to Mr. Haſtings.

Q. Do you know, one Way or the other, whether that Plan was originally ſuggeſted by Gungo Govind Sing,—Aye, or No?

A. I tranſlated from Gungo Govind Sing, an Account of the Revenue of the Country; and that I believe I may ſtate is all I know about it.

Q. Do you know whether that Plan was originally ſuggeſted by Gungo Govind Sing, or not?

A. I ſay I tranſlated it from Gungo Govind Sing; not from Gungo Govind Sing's Writing.

Q. Did you tranſlate the Plan?

A. I did not.

Q. Do you not know whether Gungo Govind Sing did, or did not originally ſuggeſt that Plan?

A. I do not recollect that Mr. Haſtings, or that Gungo Govind Sing, ever told me, 'this is 'Gungo Govind Sing's Plan,' or that 'this is my Plan;'—but certainly Gungo Govind Sing was employed in this Statement of the Revenue.

Q. What was the Reaſon of Durbedgy Sing's Impriſonment?

A. Becauſe he was a Defaulter in the Revenue due to the Company.

Q. By what Authority was he impriſoned?

A. I believe there is an Expreſſion in one of Mr. Haſtings's Letters, now in Evidence, ſaying, 'You will take Care he does not run away;'—ſeizing his Perſon was from myſelf; the Seizure of his Perſon was done by my Order.

Q. At what Time did you receive that Letter from Mr. Haſtings?

A. I believe the Honourable Manager can give me the Date.

A Paper was ſhewn to the Witneſs; and he ſaid,

'The 29th September 1782.

Q. At what Time was the Letter wrote by you, to which that was an Anſwer?

A. September 29th muſt have been a wrong Date, I ſhould think;—I am not ſure though.

Q. (*by a Lord*) Have you any other Knowledge of it, than what appears from the Date of the Letter already in Evidence?

A. No, I have not—but I ſuppoſe there is ſome Letter of mine to which it replies, but I did not act then—not till the 12th of November.

Q. (*by Managers*) In conſequence of what Intimation from you did Mr. Haſtings write you that Letter, and when did you give him the Intimation?

A. I acquainted him generally with what paſſed in the Zemindary, and muſt have ſtated to him the Loſs that would have accrued to the Company—I do not ſee any ſuch Letter upon the Boards.

Q. When was that Letter written, as near as you can recollect?

A. I cannot ſay; I wrote ſeveral Letters to Mr. Haſtings upon the Occaſion, which I will read.

Then the Witneſs produced ſeveral Papers, and ſaid:

'This is a Letter without a Date; it is indorſed 'Mr. Markham, Benaris, May 1782;' neither of theſe I believe are the Letters to which that Anſwer refers, but theſe are Complaints.

Then

Then the Witneſs read, as follows:

" My Dear Sir,

" I am at laſt reduced to the Neceſſity of troubling you, on a Buſineſs in which, I hoped for ſome Time, my own Influence might have prevailed. I could not well mention the Subject to you before, as I was apprehenſive only of what has ſince proved a Reality. Complaints without Number, arrive daily, of the Oppreſſions committed by Durbeetzy Sing's Aumils.—My Repreſentations to him have not the Effect I wiſh; for though he redreſſes, perhaps, particular Grievances, the general Evil remains unremedied.—I have not, as yet, been able to penetrate the Motives which actuate his ſilent Approbation of the oppreſſive Conduct of his Aumils. He either intends to continue as Naib no longer than to the End of the Year, or apprehenſive of Oſſan Sing (who has impudently ſuggeſted, that he will ſoon have the Management of the Country,) wiſhes to accumulate a private Hoard of Independence, in the Event of ſuch a Revolution.

" You will, I hope, my dear Sir, ſee the Neceſſity of writing ſtrongly to him upon this Subject, in the ſame Light that I do. The Country as yet is not hurt by theſe Exactions; but if they are not immediately put a Stop to, Durbeetzy Sing will next Year fall in Arrears. The People of Benares, who are by no Means his Friends, wiſh to aggravate his Miſconduct as much as poſſible. I wiſh to be impartial; and think that a Letter, expreſſing your Knowledge and ſtrong Diſlike to the Oppreſſions of his Aumils, will anſwer every Purpoſe.

" I beg you will likewiſe deſire him to pay his Kiſts more regularly;—he never pays the Firſt till the Second becomes due. I thought, for a few Months, that this might proceed from Inability, and wiſhed to favour him as much as lay in my Power. He has now a large Sum of Money by him; and that Plea ought not to be admitted. I have preſſed him to adopt regular Payment;—he as regularly promiſes, but never thinks afterwards on the Subject, till I ſee or write to him. He is beyond Expreſſion dilatory in Buſineſs.

" I am,
My dear Sir,
Your much obliged,
Obedient Servant,
" William Markham."

" My dear Sir, " Benares, June 19th, 1782.

" I ſometime ago wrote you a Letter, informing you of the Oppreſſions committed by the Aumils on the Riots, and that I had too much Reaſon to think by the Approbation of Durbeetzy Sing. I have uſed every Endeavour to put a Stop to Meaſures ſo contrary to the Intereſts of both the Company and the Rajah, but with little Succeſs:—The Naib appears convinced of the Truth of my Repreſentations, promiſes Redreſs, but in the End performs nothing. Of Two hundred Arzees complaining of the moſt unjuſt Exactions, which have been preſented to me, and which I ſent to the Naib for Redreſs and Enquiry, Six or Seven only have been attended to.

" His Avarice and Want of Knowledge in Buſineſs have induced him to ſelect the moſt improper Men for his Aumils, ſuch as have been in low Stations, unacquainted with the Country, and who could not, from the low Eſtimation in which their Characters were held, get any Man of Credit to write their Security for them. He has committed the Purgunnahs, Zemineah, Baddowee, Chouſah, Karakut, and Servinoo, to the Hands of Babboo Zallum Sing, a Man who only Three Year * ago fled the Country, carrying with him a Lack of Rupees, the Property of his Nephew, the late Rajah. This Man a Fortnight ago confined and corporally puniſhed Two Men who had complained to me of his Exactions, and who carried back Durbeetzy Sing's and my Perwannahs, for Juſtice to be done to them. Sunkeer Rutton in Pur, Meviow Bugwant Roy in Sydeabad, Boniade Sing in Khurnda, have been equally oppreſſive; and as I imagine you will write to the Rajah moſt fully on this Subject, I hope you will mention the above Names to him as People in whom you think he ought to place no Confidence.

* Sic in Orig.

" I wiſh to God I could convince Durbeeetzy Sing of his true Intereſts. He has promiſed to accompany me in a Tour to Mahommedabad, (to which Place I am going, to eſtabliſh a new Manufactory of Cloaths), and thence croſſing the River to return by Chouſah and Zemineah—As theſe are the Countries moſt oppreſſed, I will endeavour to point out to him the impolitick Severity of his Aumils, and the Miſery of his Riots, and that Moderation and a ſtrict Regard to Juſtice muſt turn to his Advantage. But I too much fear that he is like the deaf Adder, will not liſten to the Voice of the Charmer.

" Whether Succeſs or Diſappointment ſhall attend this Attempt, I ſhall have the Satisfaction of having done my Duty.

" You will aſk, perhaps, why I did not ſooner acquaint you of the State of the Country—The Ryots could not feel the Weight of theſe Oppreſſions, until the Rubbee Harveſt was cut, and did not bring their Complaints before me till Three Weeks or a Month ago; nor did I believe that he could have formed this Rack-renting Syſtem, till I ſaw him evade doing Juſtice to the Petitions of his Ryots, though backed with my Repreſentations, by intentional Delays.

" Unleſs

" Unleſs, my dear Sir, you think my Preſence abſolutely neceſſary at Benares, I wiſh to have your Permiſſion to viſit Calcutta for Five or Six Days. I mean to go and return by Dawk, and to be abſent at moſt but Thirty Days. My private Affairs really require my Preſence; it is not a Scheme of Marriage or Idleneſs, I aſſure you.

I am, my Dear Sir,
Your much obliged,
Obedient Servant,
" Wm Markham."

" The Rains ſet in on the 16th very favourably.

Then the Witneſs was aſked,

Q. What Anſwer did you receive to this Letter?

A. I have got an Anſwer in my Pocket, it is dated 'Fort William, July 15, 1782,' from Mr. Haſtings.

Then the Witneſs read, as follows:

" Dear Sir, " Fort William, July 15th, 1782.

" I have lately received Two Letters from you, in which you inform me that the Aumils employed by Doorbijey Sing have been guilty of great Oppreſſions upon the Ryots; that he, ſo far from reſtraining, has connived at their Irregularities, and that he is himſelf, to the laſt Degree, remiſs and indolent in diſcharging the Duties of his Office. To the firſt of theſe Letters I deferred ſending an immediate Anſwer, from the Apprehenſion that, were I to take that Notice of his Conduct which, from your Repreſentations, it ſeemed to merit, I might probably leſſen his Authority, and afford him a Pretext for the future Breach of his Engagements. Under this Idea, I contented myſelf with repreſenting to his own Vakeel the very great Impropriety and evil Tendency of his Conduct, and hoped that when, through this Medium, he ſhould become acquainted with my Sentiments, Prudence, if not Juſtice, would have taught him the Neceſſity of amending his Behaviour. Your laſt Letter however has convinced me, that theſe Hopes were fallacious: The very Language indeed in which your Complaints are conceived, have impreſſed my Mind with ſo clear a Conviction of their Juſtice, and of the Neceſſity of redreſſing them, that I have thought it proper to write to Doorbijey Sing the Letter, of which, for your Information, I encloſe you a Copy. You will there learn the Diſpleaſure I have expreſſed at the Oppreſſions under which the Ryots are ſuffered to labour, and the Means I have directed for bringing to Juſtice the Men whom you have pointed out as the principal Authors of their Diſtreſſes. It is poſſible that the ſame Motives which firſt led him to ſelect theſe Men, may now induce him to ſupport them, even in Diſobedience to my expreſs Commands. If this ſhould prove the Caſe, or if he ſhould not carry them into Execution within One Week after the Receipt of my Letter, it is my poſitive Order, that you cauſe Babboo Zalum Sing, Sunker Rutton, Bugwant Roy, and Boniade Sing, to be brought to Benaris;—that you give Notice thereof to the Naib, and require him to appoint Three Perſons of Ability and approved Integrity, to inquire into their Conduct; yourſelf appointing Two Perſons of the like Deſcription for the ſame Purpoſe: That in caſe of his Refuſal or Neglect to appoint Perſons for ſuch Inveſtigation, you do yourſelf nominate Five Men of Ability and Integrity, with Power to hear and examine the Complaint of the Ryots againſt the Aumils above-mentioned, and that you do tranſmit to me, as ſpeedily as poſſible, a State of their Proceedings, keeping at the ſame Time the Perſons of the ſaid Aumils in Confinement, in order that they may not evade the Judgment which ſhall be paſſed upon them. And to prevent any Prejudice, or the poſſible Pretence of Prejudice, to the Revenues from the Execution of theſe Orders, I deſire, that you will call upon the Naib to appoint proper Perſons for holding the Employment of the ſaid Aumils during their Abſence from their reſpective Diſtricts; and if he ſhall neglect to do, I then deſire that you will, yourſelf, ſelect and nominate proper Perſons for that Purpoſe. Hitherto, though I have expreſſed my Diſapprobation of the Naib's Conduct, I have forborne to make him an Object of that Rigour with which I have thought it right to treat his Servants: I am willing to have Patience with him, and to make every Allowance for the Novelty of the Situation in which he is placed, and for the Difficulties which may attend it; but if I perceive in him a wilful Neglect of my Advice, and an obſtinate Adherence to that Syſtem of Conduct, againſt which, I find, you have ſo often warned him, he ſhall certainly feel the moſt ſevere Effect of my Diſpleaſure.

" Having thus attempted to remedy the Evils of which he is the Author, I muſt not neglect thoſe of which he complains: I have lately received ſeveral Papers from him, all tending to prove the Miſconduct of Captain Baker, when ſent to apprehend the Murderers of Durnoo Dooby. It appears, that inſtead of attempting to apprehend ſuch only of the Koſucks as were guilty of the Offence,—he firſt made a general Attack upon all who reſided in the Village of Burrogong; and when he had ſubdued them, with as little Diſcrimination, and as it is alleged, for his private Emoluments, ſet them all at Liberty, and again reſtored them to their Poſſeſſions.

" Remembering the Conduct of Captain Baker upon a former Occaſion of this Kind, I flattered myſelf that he would never be again employed in any Service which might give him a poſſible Pretence for interfering in the Affairs of the Zemindary. If he is not yet recalled, I requeſt

that

that he may be, without a Moment's Delay; and that you will apply for that Purpoſe to Colonel Blair. I deſire you will conſider it as your Duty to prevent all Officers employed for the Purpoſes of enforcing the Collections, and maintaining the Rajah's Authority, from going beyond the expreſs Line which their Duty preſcribes to them.

" The Detection of a few Murderers ſeems to have created almoſt as much Inconvenience as would have ariſen from their Impunity. My Orders were explicit, and known, I thought, as well to you as to the Naib. Three People were, by Name, pointed out to me as the Murderers of Dhurmoo Dooly, and I directed that thoſe, and no others, ſhould be brought to Puniſhment. Pray let me know what has been done in this Buſineſs, and ſtate to me particularly, the Conduct of Captain Baker whilſt employed in it.

" The Buſineſs which this Letter will impoſe on you, may, I hope, be ſoon concluded; and if your private Concerns ſhall then call you to the Preſidency, you have my Permiſſion to viſit it; but if thoſe of the Zemindary furniſh the only Motives for your Journey, I could wiſh you to remain at your Station of your public Buſineſs; I will, myſelf, be the Agent, and though it is true that many Affairs demand my Time and Attention, thoſe of Benaris ſhall not be neglected.

" I am, dear Sir,
Your moſt obedient
Humble Servant,
" Warren Haſtings."

Then the Witneſs was aſked,

Q. Whether thoſe Letters have been regiſtered in the Office of Reſident; either the Letters received or the Letters ſent?

A. They were not entered, either one or the other.

Q. Why were they not entered in the Books of the Reſident's Office?

A. Really I cannot give a Reaſon at this Time.

Q. Did you ever lay them before the Governor General and Council, or whether you ever heard they were laid before the Governor General and Council?

A. I did never hear thoſe particular Letters, which I have read, were laid before the Governor General and Council.

Q. What did you do with regard to the Order in Mr. Haſtings's Letter, relative to the enquiring into the Conduct of thoſe Aumils, and the Report Mr. Haſtings deſired you to make in conſequence of that Enquiry?

A. The Aumils were ſecured, and Four People were appointed, as well as I recollect, to enquire into the Oppreſſion, but I believe the Letter I wrote upon that Subject is in a Letter Book, not as yet printed, but in the Hall.

Q. What was the Reſult of the Enquiry made; who were the Perſons who were named to enquire?

A. I really do not remember the Names of the Perſons, but they are mentioned in that Letter.

Q. What was the Reſult of the Enquiry?

A. That they were guilty in general of the Oppreſſions complained of. The Letter is here I believe.

Q. What Judgement did they give?

A. I believe I ſtated that they were generally guilty. There were 200 Arzees or Petitions from thoſe Ryots: I will not venture to ſay they were convicted upon every one of thoſe, but in general the Complaints were well founded.

Q. There were a great many Complaints, and they were convicted of a great many of them: Is that what you mean?

A. Yes.

Q. They were convicted of ſome of them?

A. Of the greater Part of them.

Q. Where is the Record of that Conviction?

A. I really cannot tell, but very probably in the Reſident's Office at Benares; but I really do not take upon myſelf to ſay where it is.

Q. Where are the Proceedings upon which they were convicted, to be found?

A. I really cannot inform you.

Q. Whether they were ever tranſmitted to Mr. Haſtings, according to your Recollection?

A. I really do not recollect.

Q. Whether the Charges againſt Durbidgy Sing himſelf ſpecifically, were enquired into?

A. He was arreſted for Nonpayment.

Q. Whether

Q. Whether the Charges againſt Durbidgy Sing himſelf ſpecifically were enquired into?
A. Does the Queſtion mean, enquired into by myſelf or Mr. Haſtings?

Q. By any Body?
A. The Things I complained of, were Things in my own Knowledge.

Q. Were there any other Charges againſt him, but that of being a Defaulter?
A. And his encouraging thoſe People in their Oppreſſion, and not puniſhing them for thoſe Oppreſſions, and in general, for an Attempt to rack-rent the County;—thoſe I knew, thoſe I myſelf knew.

Q. Then, you was the Witneſs againſt Durbidgy Sing, that you knew he rack-rented the Country—How did you know it?
A. Becauſe I was in the Country: I had Information of it, which I gave Credit to; and I afterwards found it to be ſo from Durbidgy Sing's own Papers, and from my Enquiry among the Aumils.

Q. What do mean by rack-renting the Country?
A. I call it Rack-renting the Country, when Mr. Haſtings, as I have ſtated, had remitted 6,66,000 Rupees to it, and that Durbidgy Sing ſhould attempt to draw the whole Rent that the Country ever paid, and which it was not in a Condition, on Account of the Diſturbances in 1781, to afford.

Q. Did you produce to any Perſon, any Proof of thoſe Allegations?
A. I don't know—I can produce it now if it is wiſhed.

Q. Did you, at that Time, produce thoſe Documents to any Perſon?
A. I did not produce thoſe Documents; for though I was myſelf convinced of them, and had them from Durbidgy Sing's Papers, they were not, at the Time I went down to Calcutta upon my private Buſineſs before my Recal, in ſuch Forwardneſs that I ſhould be able to ſend them down.

Q. Were they ever communicated to Durbidgy Sing, and his Anſwer called for in Writing?
A. When he was diſpoſſeſſed of the Naibut, of his Office as Naib, I did not certainly preſs him with further Accuſations; I did not wiſh any Puniſhment upon him for them—and to get the Money due to the Company was my only Object.

Q. Did you get thoſe Papers previous to the Impriſonment of Durbidgy Sing, or ſubſequent to his Impriſonment?
A. At the Time of his Arreſt.

Q. You ſeized the Papers ſubſequent to the Arreſt?
A. His Mutſuddies brought them to me, as they were directed to do, and my Moonſhy ſat with his Accountant to draw out thoſe Papers.

Q. Whether it was previous to the Arreſt, you was furniſhed with thoſe Matters of Accuſation, or afterwards?
A. Thoſe Papers, which I conſidered as the Proof of what I before believed, were ſubſequent, as I believe the Court underſtands, to the Arreſt.

Q. Under what Authority, and by what Authority or Power of Office veſted in you, did you arreſt Durbidgy Sing, and put him into Confinement?
A. It was an Act of my own, for which I ſtand reſponſible; it was however approved of afterwards by my Superiors, and I look up to that as my Juſtification.

Q. Was it your own perſonal Act, not an official Act?
A. It was not my perſonal Act.

Q. By what known Power of Office you arreſted Durbidgy Sing, and put him into Confinement?
A. I do not believe there was ever any ſuch Power veſted in the Office of Reſident; but, as I ſaid before, I did it upon my own Motion.

Q. How long had Durbidgy Sing been in Poſſeſſion of his Office before he was impriſoned?
A. I ſhould ſuppoſe about Twelve Months.

Q. How long after his firſt Impriſonment was it, before Jagger Deo Sing was appointed to that Office?
A. I do not recollect the Day, but I believe the Evidence will ſhew it was immediately; in the Courſe of Three Weeks or a Month.

Q. Who had the Care of the Revenues, in the Interval between the Impriſonment of Durbidgy Sing and the Appointment of Jagger Deo Sing?
A. It may be ſaid, that I had myſelf, though whatever was done, was done by Jagger Deo.

Q. Whether

Q. Whether you had not a Concern, and did not act, with Jagger Deo in the New Settlement of the Country?

A. I did till he was veſted with the Authority of Naib.

Q. How long was that?

Then the printed Minutes were ſhewn to the Witneſs, and he read from Page 302 of the ſame, the following Extract of a Letter to himſelf from the Governor General and Council, dated the 4th December.

"We approve and confirm your Appointment of Baboo Jagger Deeo Sing to the Office of Naib of the Zemindarry, in the Room of Doorbijey Sing, and deſire that you will inveſt him immediately with the uſual Khelaat in due Form."

Then the Witneſs, in Anſwer to the Queſtion, ſaid,

It was within eight Days, after that I received this Letter, about the 12th of December; he was inveſted with the Power before, but had not the Khelaut till, according to the Cuſtom of that Country, they could diſcover a fortunate Day.

Q. (*by a Lord*) Till the Inveſtiture, Jagger Deo acted in fact, but under your Authority, ſo it might be ſaid you had the Management till the Inveſtiture?

A. That is, I gave my Authority and my Influence to Jagger Deo Sing's Acts.

Q. (*by Managers*) Was you not conſulted in the Settlements made, and gave your Opinion to Jagger Deo?

A. Undoubtedly Jagger Deo did conſult me with reſpect to the Choice of his Aumils.

Q. In that only, and not in the Settlement?

A. I really believe that Jagger Deo Sing did conſult me at that Time upon moſt of the Subjects reſpecting the Zemindarry, as was moſt likely he ſhould.

Q. Did he, after the Inveſtiture?

A. I believe he told me to whom he meant to grant ſuch or ſuch Aumils, becauſe he was at this Time apprehenſive of the Failure of the Crop of the Country from the exceſſive Drought, and if any Thing did happen to him in that Year, I believe he wiſhed me to know that it did not proceed from his Miſmanagement; and while I was at Benares, I did not hear that he was guilty of Oppreſſion.

Q. What Steps did you take about the Murderers of Durby Doley, complained of by Mr. Haſtings, which he had commanded you to inquire into?

A. Mr. Haſtings was himſelf in the Zemindarry at the Time, to the beſt of my Recollection, and gave the Naib the Order.

Q. What was done about that?

A. I do not recollect whether the Murderers were ſeized or not; but the Naib Durbedgy Sing made it a Pretence to drive all the Couſacks out of the Country; upon which I certainly did interfere, and prevented him from doing it.

Q. Whether you, after the Letter received from Mr. Haſtings, did take any Steps yourſelf, according to the Directions of that Letter, to apprehend the Murderers?

A. I believe I have a Paper that will explain it.

Then the Witneſs produced a Paper, and ſaid,

It happened about November 1781. The Letter of Mr. Haſtings was the 19th of June 1782; in which, as I have already ſtated, he, Mr. Haſtings, ſays he has received Complaints from Durbejy Sing againſt Captain Baker: On Inquiry, I found that Mr. Haſtings had been deceived, in ſome Meaſure, wth Reſpect to the Complaints againſt Captain Baker, and I received this Letter from him in Anſwer to the One I wrote him, which I have not.

Then the Witneſs read the following Extract:

"My Dear Markham, "Fort William, 7th Auguſt 1782.

"I have received your's of the 27th ultimo, and am perfectly ſatisfied, from your Relation of the Affair, that the Charge againſt Captain Baker is utterly falſe. Indeed I allowed it a greater Weight, becauſe I underſtood it to appertain to a later Date, and was diſpleated at the Renewal of his Command, which would have been a direct Breach of my Orders to Colonel Blair.

"I am, dear Markham,
Your's moſt affectionately,
"Warren Haſtings."

Q. What

Q. What Proceedings were had, to detect the Murderers of Durby Doley, and bring them to Juſtice?

A. I do not recollect that they were ever ſeized; but I am not certain of the Fact.

Q. What Steps were taken to ſeize them?

A. I believe the Naib ſent People after them; but I do not know that I had any Orders from Mr. Haſtings, being then at Benares, to interfere myſelf in the Buſineſs; it was diſtant from Benares, and I do not know how it ended.

Q. Then, you do not know that any Meaſures were taken to apprehend the Murderers of Durby Doley, or to bring them to Juſtice, or to make any Enquiry concerning them?

A. I know that Mr. Haſtings was very eager to ſecure them; but he gave his own Orders to the Naib, to the beſt of my Recollection.

Q. To what Naib?

A. Durbidgy Sing.

Q. Was Durbidgy Sing Naib when Mr. Haſtings went up there?

A. He was Naib in the latter End of the Year 1781, when Mr. Haſtings left the Zemindary of Benares.

Q. But was he at the Time we are ſpeaking of?

A. He was?

Q. Whether any Part of this Correſpondence, and what, appears among your Letters of Office?

A. I do not believe any.

Q. Whether an Enquiry was made, according to the Orders of Mr. Haſtings, into the Conduct of Captain Baker, and the Oppreſſions charged upon him?

A. I made it myſelf.

Q. Was it by a Court Martial; or a Court of Enquiry; or a Court of Civil Juriſdiction?

A. I made the Enquiry myſelf. Serraub Cheit Sing, who made the Complaint to Durbidgy Sing, was ſent for by his Brother to Benares; I enquired into the Affair between the Two Brothers, and I found them throwing the Accuſation from the one to the other, that I did not myſelf believe there were any Grounds for an Accuſation.

Q. Whether any Record of the Proceedings exiſts of this Enquiry; by Record is not meant Record in a legal Senſe, any Office Record?

A. I believe not—as it was only in Converſation between them, and Serraub Cheit Sing he ſaid, he regretted having made a Complaint upon a trifling Cauſe, I did not think it at all neceſſary.

Q. Was Durbidgy Sing, who made the Complaint to Mr. Haſtings, acquainted with this Enquiry, and deſire to be preſent in order to make good his Charge?

A. Durbidgy Sing was preſent; it was a Thing amicably ſettled.

Q. What do the Words "amicably ſettled" mean; is there any verbal Proceſs or Paper whatever, that ſerves to ſhew the Nature of that Converſation and Settlement?

A. I do not believe there is; nor did I think it then neceſſary; nor do I think it now.

Q. Whether you have kept any Account of the Receipt and Expenditure of the Revenue, during the Time you had the Superintendance of this Revenue, from the Impriſonment of Durbidgy Sing, till the final Inveſtiture of Jagger Deo Sing?

A. I have them not; there was an Officer appointed; there was an Office of Treaſury appointed; Jagger Deo Sing from the firſt knew every Receipt, and it was delivered over to him ſo at the Time he was appointed.

Q. What Court of Controul was this Office of Treaſury; in whoſe Hands, and by whoſe Authority?

A. I believe, but I am not ſure, that ſuch an Office is directed by the Governor General, and is upon Record.

Then, the printed Minutes were ſhewn to the Witneſs, and he read from the ſame as follows:

"In forming the Arrangements conſequent upon this new Appointment, I requeſt you will, as far as you can with Propriety, adopt thoſe which were in uſe during the Life of Bulwant Sing, ſo far at leaſt as to have diſtinct Offices for diſtinct Purpoſes, independent of each other, and with proper Men at the Head of each; ſo that One Office may detect or prevent any Abuſes or Irregularities in the others, and together form a Syſtem of reciprocal Checks. Upon that Principle, I deſire you will in particular eſtabliſh, under whatever Names, one Office of Receipts, and another of Treaſury." (a)

(a) Vide ſupra, Page 229.

Q. Whether

Q. Whether that Office was effectually executed?
A. There was ſuch an Office appointed, but I have forgotten the Name of the Officer.

Q. Was it really, and ſubſtantially, and effectually executed?
A. I do not believe it was ſubſtantially executed, becauſe I went very ſoon afterwards to Calcutta, and reſigned immediately afterwards, and therfore cannot ſay whether it was continued or not.

Q. What Modes were taken to diſcover the Charge made againſt Durbidgy Sing, of having received more from the Moſuſſul than he accounted with the Government for?
A. Alla Ibrahim Khan was the Arbitrator between him and Jagger Deo Sing.

The Queſtion was read to the Witneſs.

His own Papers proved it — beſides which, ſome of the Aumils who were ſaid to be in Arrears to him, ſhewed a full Receipt under his own Hand and Seal.

Q. Whether you did not yourſelf admit, that Money was due to him in the Moſuſſul when he was arreſted, and that you would employ your Intereſt to get it for him?
A. He ſent me, before his Arreſt, an Account of about Four Lack of Rupees, which he ſaid was owing to him; upon my Attempt to recover this Balance, I found either that the Aumils had fled, or that they were in Confinement.

Q. Was the Money recovered?
A. It never was.

Q. Whether or no, Durbidgy Sing had not had a long Illneſs, previous to his Impriſonment, which diſabled him from attending to the Collections?
A. He had had a long Illneſs, contracted by low Debauchery, and for which I offered him the Aſſiſtance of Dr. Balfour, who was a Surgeon at Benares.

Q. Did it diſable him from attending to his Collections?
A. I preſſed him, if he would not attend to his Collections himſelf, to allow either of his Brothers to act for him: this he would not admit of.

Q. Where is the Judgment; where is that Record in which it is proved, that he received more from the Moffuſſil than he accounted for with Government?

The Witneſs produced a Book, and ſaid:

I have offered, and do again offer it, as far as I am able.

Q. By whom was it taken?
A. It was taken by my own Moonſhy, aſſiſted by the Mutſuddy of Durbidgy Sing.

Q. Is it a Copy of the Account made out by Ally Ibrahim Cawn, to whom this Matter was referred?
A. I believe it to be ſo.

Q. Do you know it to be ſo?
A. No; I cannot ſtate that I do poſitively know it to be ſo.

Q. What Reaſon have you for believing it.
A. Becauſe it is not my own Tranſlation.

Q. Is that the only Reaſon?
A. It is my only Reaſon.

Q. From what Authority does this Account come; is it recorded or regiſtered in any public Office?
A. Not to my Knowledge.

Then, the Book produced by the Witneſs was ordered to be delivered in. The ſame was delivered in accordingly (*a*).

Q. That was the Account made up by Durbidgy Sing's Mutſuddy, and your Moonſhy?
A. Yes.

Q. Who delivered it to you?
A. This is written by my Clerk.

Q. Who delivered to you the Original?
A. I do not know; the Original was brought to me by the Accountant of Durbidgy Sing.

(*a*) See the above Account at the End of this Day's Evidence, infra Page 1750.

Q. Not

Q. Not by your own Moonſhy: by what Mutſuddy of Durbidgy Sing?
A. The Perſon who tranſacted the Buſineſs of the Country under Durbidgy Sing.

Q. Do you recollect his Name?
A. I do not recollect his Name, I do ſuppoſe I never heard it, not at that Time.

Q. Whether this is the Paper in the Proceſs, or whether it is the Judgment in the Cauſe, and the Reſult of the Inquiry before Ally Ibrahim Cawn?
A. It is not the Reſult of any Inquiry before Ally Ibrahim Cawn.

Q. Or before any other Magiſtrate?
A. Nor before any other Magiſtrate?

Q. Or Arbitrator?
A. Or Arbitrator.

Q. Whether Durbidgy Sing was not Twice in Impriſonment?
A. I know of but once.

Q. Whether he was not impriſoned in a ſtricter Manner at laſt than at firſt?
A. Not to my Knowledge.

Q. Whether at laſt his Guard was not ſtricter than at firſt?
A. I do not know that it was.

Q. Whether the Guard in the ſecond Caſe was not within the Walls of the Priſon, at the laſt?
A. I do not recollect it was.

Q. Whether the Effects of Durbidgy Sing were not ſeized?
A. We attempted to ſeize the Treaſure, but there was none.

Q. None at all?
A. None at all.

Q. Whether any Goods or Effects, or Lands or Houſes, of his were ſeized?
A. Not to my Knowledge.

Q. Never?
A. Excepting the Province of Mahud, which, being given him for his Maintenance as Naib, was reſumed by Order of the Board, upon his ceaſing to act in that Office.

Q. Whether an Inquiry was not made into his Subſtance and Effects?
A. I do not recollect there was.

Q. Whether you know, or have heard, that he was ever ſo found to act?
A. I do not know.

Q. Do you believe he was found ſo to act?
A. He was in Confinement, I believe, when I left India.

Q. He continued then in Confinement?
A. He had been releaſed by me; when I left Benares he was at Liberty.

Q. Whether the Family of Mahipnarrain did not complain of his Removal?

Then the Houſe adjourned to the Chamber of Parliament.

WASSIL BAAKIE for the FUSSILLIE YEAR 1189.

NAMES of the PERGUNNAHS.	NAMES of the AUMILS.	Neat Jumma agreeable to the Caboleat and Pottah for the Fuffillie Year 1189.	Amount Collections.	Amount remaining Balances of the Fuffillie Year 1189.
In IZZARAH.				
Schewpoor Khuthaiher	Kaleb Ally Beg	14,221 – 9	14,221 – 9	— – –
Aught Gong	Luckhun Sing	60,664 8 –	50,983 3 3	9,681 4 9
Burra	Loll Mahomud	37,676 – –	34,155 9 –	3,520 7 –
Bhurfuttie	Sheoumbar Sing	88,446 9 6	64,421 2 9	24,045 6 9
Phoudarah	Baboo Naikul Sing	1,13,560 9 9	1,06,247 15 3	7,312 10 6
Ghyfooah	Dhun Sing	72,924 1 6	70,213 5 –	2,710 12 6
Chittaipoor	Ram Diall	13,953 11 –	11,350 8 3	2,603 2 9
Khurtuaut Scaikur	Soobhou Paunrie	64,325 12 9	33,542 5 9	30,783 7 –
Lhotah	Simboorutteen	23,292 7 –	20,628 14 –	2,663 9 –
Ghurnarrah	Baboo Boopurain	83,315 1 –	83,315 – –	— – –
Bhurr Gong	Do. Do.	26,322 – –	26,322 – –	— – –
Gopaullarpoor	Bussunt Loll	54,530 8 –	44,647 – 3	9,883 7 9
Khaloopoor	Seewver Chowdry	38,759 10 6	25,780 5 6	12,979 5 –
Havillie Gazipoor	Bullam Dofs	98,015 8 9	62,989 6 3	35,026 2 6
Svedpoor	Baboo Offaun Sing	20,838 12 –	12,500 – –	8,338 12 –
Dhoos	Tockrie Bulwunt Sing	29,848 8 –	22,151 15 6	7,696 8 6
Sufdair Ghur	Shewperfaud Sing, &c.	23,288 8 –	19,172 – –	4,116 8 –
Zoloorabad	Bullam Dofs	1,24,201 – –	88,540 8 –	35,660 8 –
Zummonicah Chownfah and	Shew Zallim Sing	3,31,273 14 –	2,21,165 3 3	1,01,108 10 9
Shadeabad	Baugwunt Roy	73,486 – –	41,926 14 6	31,589 1 6
Karonah	Chuckkoo Tawarrie	50,958 12 –	49,895 7 –	1,063 5 –
Biaulefhie	Rajah Myipnarain	42,526 – –	13,896 – –	28,630 – –
Mungrah	Rajah Myipnarain	80,890 8 –	36,025 7 –	44,865 1 –
Kholah Affallah	Do. Do.	89,101 – –	43,227 3 9	45,873 12 3
Khanpoor	Do. Do.	21,768 12 –	5,797 8 –	15,971 4 –
Bhudhoie, Sairomoo, and Piffara	Shew Zallim Sing	3,41,720 12 –	2,91,411 – –	50,309 12 –
Chirrah Dhiemah	Mirza Coffim Beg	49,681 – –	35,604 15 3	14,076 – 9
Mujwah	Jaggenaut Sing	73,436 1 –	56,259 6 –	17,176 11 –
Khurnah, Daunrie	Baboo Omaan Sing	24,031 14 6	23,706 3 3	325 11 3
Bhurhur Budza-Ghurr	Diaram	66,729 8 –	53,304 4 3	13,425 3 9
D. Haut Buxfhihaie Jounpoor	Kaleb Ally Beg	15,750 – –	15,750 – –	— – –
Gopulpoor	Duffanie Sing	7,022 8 –	6,359 4 –	663 4 –
Mhehall Chuna Bhurfie	Dhoondie and Jaut Mairwan	22,461 2 6	9,190 12 –	13,270 6 6
Mujuarrah	Loll Bhahdar and Pailwan Sing	45,566 15 9	31,650 8 9	13,917 7 –
Muncyarhoo	Dhun Sing	1,91,673 5 6	1,63,937 12 6	27,735 9 –
Schair Mirzapoor	Baboo Omrow Sing	71,541 – –	70,643 4 9	5,102 4 9
Schair Schewpoor	Chumput Roy	46,575 – –	51,829 12 –	5,254 12 –
Schair Gazipoor	Aga Mahomed Mindie	65,000 – –	58,516 8 6	6,483 7 6
Total Amount Purgunnahs	in IZZARAH	28,31,101 13 9	22,08,294 11 3	6,33,164 3 3
In AHMANIE.				
Bhullwah	Rammonorut	89,468 7 6	78,506 7 –	10,962 – 6
Havillie, Joumpoor, &c.	Kaleb Ally Beg	2,82,184 12 –	2,80,068 14 6	2,115 13 6
Hurhurpoor	Do. Do.	18,508 6 3	18,508 6 3	— – –
Herbowrah	Duffainie Sing	12,688 3 –	9,585 7 9	3,102 11 3
Mahomedabad	Buxlhoo Sing Tockrie	1,20,000 – –	89,386 – –	30,614 – –
Bugwut Harillie Chunjr	Schewnaut Sing	78,867 8 –	58,000 14 9	20,866 9 3
Bullhah and Chief Pheradfpoor	Baboo Surroobjeit Sing	5,81,999 8 3	3,97,112 10 9	1,84,886 13 6
Jerk Kanie	Naimah Sing	36,001 – –	19,967 3 6	16,033 12 6
Khuntiet	Baboo Omrow Sing	1,82,499 – –	1,70,406 10 3	12,092 5 9
Khurraindah	Morick Sing	65,001 – –	34,211 3 6	30,789 12 6
Mowaie Mowharrie	Bhahadoor Sing	51,306 8 9	43,498 3 3	7,808 5 6
Nhurwern	Tockrie Bhuckt Sing	66,908 3 3	46,036 9 9	20,871 9 6
Khairah Mungroah	Rajah Myipnarain	80,000 – –	49,893 9 –	30,106 7 –
Deo tyline	Mungul Sing	10,608 8 3	9,879 5 –	729 3 3
Ahneenie Benare	Chunput Roy	1,33,000 – –	93,867 – –	39,133 – –
Schair Ramnagurr	Schewvur Chowdry	30,000 – –	— – –	30,000 – –
Total Amount Pergunnahs	in AHMANIE	18,39,041 1 3	13,99,028 9 3	4,40,012 8 –

NAMES of the PERGUNNAHS.	NAMES of the AUMILS.	Nett Jumma agreeable to the Caboleat and Pottah for the Fuffillie Year 1189.	Amount Collections.	Amount remaining Balances of the Fuffillie Year 1189.
D. HAUT.				
Mochulpoor, &c.	Bhahadoor Sing	10,016 – –	8,801 11 –	1,214 5 –
Bhailah Tharrie	Raffaul Sing	4,153 4 –	3,227 8 6	925 11 6
Bowhur	Shewnaut	898 12 3	898 12 3	— – –
Dhowmah	Saar Serram Sing	7,018 8 –	7,018 7 9	— – 3
Eatullah	Bridje Loll Sing	9,119 14 3	3,034 8 –	85 6 3
Ramnuppoor	Athur Beg	1,205 6 9	1,191 5 6	14 1 3
Khawdeepoor	Rambuxlh	582 3 –	582 3 –	— – –
Mooffaipoor	Naimah Sing	3,400 14 –	3,400 9 –	— 5 –
Ahmudnagar	Mirza Ally Khawn	3,366 1 6	3,366 1 6	— – –
Jotrampoor and Modarrie	Buckhut Sing	2,332 4 –	2,332 4 –	— – –
Hernaupoor	Ahmut Dhurr	1,418 8 –	1,228 – 6	190 7 6
Ghurrotha	Schew Buckut Sing	889 3 –	889 3 –	— – –
Hayfapoor	Khaul Sing	520 – 9	488 12 3	31 4 6
Bhyropoor	Motie and Pollaack	355 6 –	318 9 3	36 12 9
Phurlierriampoor	Gudjah and Bhullpoor	227 12 3	211 8 9	16 3 6
Puit Khowlie and Gofhainpoor	Jewyher Ghier	340 2 –	— – –	340 2 –
Nuzzerrana Durbeia	Jettpo	335 3 –	335 3 –	— – –
Dawneeal poor	Galaubnaut	354 6 –	293 – –	61 6 –
Delolly Tallah	Rajah Kilhen	652 10 –	652 10 –	— – –
Murapoor Buffahie	Khurram Allie	558 14 –	464 15 –	93 15 –
Mahomindpoor	Ghurrieve	163 – –	163 – –	— – –
Govindpoor	Khurrain Nubbie	51 10 –	51 10 –	— – –
Nuzzerranna Chundyatt	Mirza Moraud Allie	206 – –	206 – –	— – –
Khady poor	Khoondah Miffah	406 – –	390 15 6	15 – 6
Buxlhah	Meiton, &c.	3,949 12 –	3,927 9 3	22 2 9
Nowamah	Guzzaje O Sing	431 5 –	290 12 9	140 8 3
Ahmalliah	Shew Loll Sing	280 – –	84 8 –	195 8 –
Total Amount D. HAUT		47,132 15 9	43,749 11 9	3,383 4 –

ABSTRACT of the preceding Account.

Total Amount Pergunnahs in IZZARAH	28,31,101 13 9	22,08,294 11 3	6,33,164 3 3
Total Amount Pergunnahs in AHMANNIE	18,39,041 1 3	13,99,028 9 3	4,40,012 8 –
Total Amount D. HAUT	47,132 15 9	43,749 11 9	3,383 4 –
Grand Total	47,17,275 14 9	36,51,073 – 3	10,76,559 15 3

EXCESS of JUMMA, as per Particulars.

Schair Mirzapore	5,102 4 9
Schair Shewpoor	5,254 12 –
Amount neat Collections	36,40,715 15 6

NAMES of the PERGUNNAHS.	NAMES of the AUMILS.	Gross Jumma in the Time of Cheite Sing for the Fusilie Year 1188.	Gross Jumma as settled by Durbeetsy Sing for the Fusilie Year 1189.	Deductions from the Gross Jumma.	Neat Jumma agreeable to the Cabooleat and Pottah for the Fusilie Year 1189.
In IZZARAH.					
Shewpoor Kuthaiker	Kaleb Ally Beg	1,52,850 1 9	1,59,281 - 3	19,059 15 6	1,40,221 - 9
Aught Ganga and Narrainpoor	Luckhun Sing	61,764 8 -	61,764 8 -	1,100 - -	60,664 8 -
Barrah	Loll Mahomed	32,975 - -	38,476 - -	800 - -	37,676 - -
Bhurfuttie	Sheoumbar Sing	89,266 9 6	89,266 9 6	800 - -	88,466 9 6
Phundarrah	Baboo Naikul Sing	1,01,446 1 -	1,23,446 1 -	9,885 7 3	1,13,560 9 9
Phyfooah	Dhun Sing	75,938 8 -	75,938 8 -	2,214 6 6	73,724 1 6
Chittaipoor	Ramdiall	11,175 - -	14,176 - -	222 5 -	13,953 11 -
Kurreedut Scaikher	Soobhou Paunrie	76,951 - -	76,951 - -	3,432 15 -	73,518 1 -
Lhotah	Simbooruttun	26,964 12 -	26,964 12 -	3,672 5 -	23,292 7 -
Ghurwarah	Baboo Boopnaraih	88,315 1 -	88,315 1 -	- - -	88,315 1 0
Dhurr Gong	Do. Do.	40,352 10 -	40,352 10 -	14,000 - -	26,322 - -
Gopaullarpoor	Busfunt Loll	53,946 7 -	55,688 8 -	1,158 - -	54,530 8 -
Loodpoor	Scewver Chowdry	50,452 15 3	50,452 15 3	11,693 4 9	38,759 10 6
Police Gauzipoor	Bullam Dofs	98,015 8 9	98,015 8 9	- - -	98,015 8 9
Noor	Baboo Offaan Sing	75,028 12 -	75,028 12 -	54,200 - -	20,828 12 -
Noor	Tockrie Bulwunt Sing	31,734 5 3	31,388 8 -	1,540 - -	29,848 8 -
Khair-Ghur	Sheoperfaud Sing, &c.	22,276 - -	23,288 8 -	- - -	23,288 8 -
Lohdozabad	Bullam Dofs	1,05,237 3 -	1,24,201 - -	- - -	1,24,201 - -
Zummamieah Chounfah Burvull	Shew Zallim Sing	3,11,272 14 -	3,31,273 14 -	- - -	3,31,273 14 -
Shadeeabad	Baugwunt Roy	56,376 - -	73,486 - -	- - -	73,486 - -
Karonah	Chuckkoo Taiwarrie	42,948 - -	54,644 12 -	3,686 - -	50,958 12 -
Beaulaifee	Rajah Myipnarain	42,526 - -	42,526 - -	- - -	42,526 - -
Mhungrah	Do. Do.	80,890 8 -	80,890 8 -	- - -	80,890 8 -
Kholah Affallah	Do. Do.	89,101 - -	89,101 - -	- - -	89,101 - -
Khanpoor	Do. Do.	21,768 12 -	21,768 12 -	- - -	21,768 12 -
Bhudhoie, Sairdmo, and Paiffara	Shew Zallim Sing	3,34,720 12 -	3,41,720 12 -	- - -	3,41,720 12 -
Ghurrah, Dhcimah	Mirza Coffim Beg	41,001 - -	49,681 - -	- - -	49,681 - -
Mujwah	Jaggernaut Sing	77,197 9 -	77,197 9 -	2,602 8 -	74,595 1 -
Khurnah Dauntie	Baboo Omaan Sing	25,908 2 3	25,908 2 3	1,876 3 9	24,031 14 6
Bhurhur Beidza-gurr	Diaram	75,938 8 -	75,938 8 -	9,209 - -	66,729 8 -
D. HautBuxhfeaie, Jounpoor	Kaleb Allie Beg	31,893 12 -	31,893 12 -	16,643 12 -	15,250 - -
Gopulpoor	Duffanie Sing	6,287 8 -	7,088 8 -	- - -	7,088 - -
Mhehall, Chunah, Bhurrie	Dhoudie and Jeit Mairwan	21,600 14 -	22,461 2 6	- - -	22,461 2 6
Mujwarrah	Loll Bhahdur and Pailwan Sing	35,350 - -	50,625 - -	5,057 - 3	45,567 15 9
Muneyarhoo	Dhun Sing	1,80,635 1 -	1,91,778 5 6	105 - -	1,91,673 5 6
Schair Mirzapoor	Baboo Amrow Sing	75,001 - -	75,001 - -	- - -	75,001 1 -
Schair Schewpoor	Chumput Roy	40,500 - -	46,575 - -	- - -	46,575 - -
Schair Gauzipoor	Ago Mahomed Mindie	55,138 8 -	65,812 8 -	- - -	65,812 8 0
Total Amount Purgunnahs	in IZZARAH	28,40,746 2 9	30,08,337 5 -	1,77,235 7 3	28,31,101 13 9
In AHMANIE.					
Khuffwah	Rain Monorut	89,468 7 6	89,468 7 6	- - -	89,468 7 6
Havillie, Jounpoor, &c.	Kaleb Ally Beg	2,86,015 14 6	3,33,030 14 6	49,146 2 6	2,84,484 12 -
Kishnpoor	Do. Do.	22,557 4 -	23,368 6 3	5,460 - -	17,908 6 3
Herowrah	Dhuffainie Sing	18,547 4 -	12,688 3 -	- - -	12,688 3 -
Mahomadabad	Buxfhoo Sing Tockrie	1,20,000 - -	1,20,090 - -	- - -	1,20,000 - -
Bugwut Havillie Chunar	Schewnaut Sing	71,000 - -	80,867 8 -	2,000 - -	78,867 8 -
Bullieah, &c. Cheit Pheroafpoor	Baboo Surroabjeit Sing	5,22,232 - -	6,01,999 8 3	20,000 - -	5,81,999 8 3
Jeckkenne	Naimah Sing	12,828 11 -	36,001 - -	- - -	36,001 - -
Khunteel	Baboo Omrow Sing	2,27,000 - -	2,27,000 - -	44,501 - -	1,82,499 - -
Khurfaidah	Moruck Sing	51,001 - -	65,001 - -	- - -	65,001 - -
Mowace, Mowbatie	Bhahadoor Sing	50,000 - -	59,306 8 9	8,000 - -	51,306 8 9
Nurvhun	Tockie Buckhut Sing	75,000 - -	66,908 3 3	- - -	66,908 3 3
Khairah Mungroar	Rajah Myipnarain	80,000 0 0	80,000 - -	- - -	80,000 - -
Deorhie	Mungul Sing	7,358 13 -	15,686 9 6	6,000 - -	9,686 9 6
Ahmenie, Benares	Chumput Roy	1,33,000 - -	1,33,000 - -	- - -	1,33,000 - -
Schair Ramnaghurr	Scewver Chowdry	30,000 - -	30,000 - -	- - -	30,000 - -
Total Amount Pergunnahs	in AHMANIE	17,96,009 6 -	19,75,526 5 -	1,36,485 3 9	18,39,041 1 3

NAMES of the PERGUNNAHS.	NAMES of the AUMILS.	Gross Jumma in the Time of Cheite Sing for the Fusilie Year 1188.	Gross Jumma as settled by Durbeetsy Sing for the Fusilie Year 1189.	Deductions from the Gross Jumma.	Nett Jumma agreeable to the Cabooleat and Pottah for the Fusilie Year 1189.
D. HAUT.					
Moculpoor, &c. Villages in Pergunnah Schewpoor	Bhahadoor Sing	10,016 - -	10,016 - -	- - -	10,016 - -
Bailah Tarrie	Raffaul Sing	3,659 6 0	4,153 4 -	- - -	4,153 4 -
Bowhur	Schewnaut	713 12 3	913 12 3	- - -	913 12 3
Dhowruah	Schew Serram Sing	7,018 8 -	7,018 8 -	- - -	7,018 8 -
Eatuffooah	Bridje Loll Sing	3,119 14 3	3,119 14 3	- - -	3,119 14 3
Rainroypoor	Afhter Beg	1,254 2 9	1,254 2 9	48 12 -	1,205 6 9
Khawdoopoor	Rambuxth	506 4 -	582 3 -	- - -	582 3 0
Mooffaipoor	Naimah Sing	3,254 - -	3,797 14 -	397 - -	3,400 14 -
Ahmudpoor	Mirza Ally Khan	3,489 9 -	3,489 9 -	123 7 6	3,366 1 6
Jeerampoor Modarrie	Bucklut Sing	2,113 13 -	2,532 4 -	300 - -	2,232 4 -
Hernaupoor	Annut Dhurr	824 - -	1,418 8 -	- - -	1,418 8 -
Gowrowlie	Schew Buckut Sing	889 - -	889 3 -	- - -	889 3 -
Khayiopoor	Koal Sing	520 - 9	520 - 9	- - -	520 - 9
Bhyropoor	Motie and Pollaack	305 6 -	355 6 -	- - -	355 6 -
Phurrerrampoor	Gudjah and Bhullpur	209 12 3	227 12 3	- - -	227 12 3
Putt Khowlie and Gofhainpoor	Jawytier Ghier	340 2 0	340 2 -	- - -	340 2 -
Nuzzerrana Durreiba Paun Mhehat	Jaitoo	305 3 -	335 3 -	- - -	335 3 -
Dannual poor	Golaubnaut	354 6 -	354 6 -	- - -	354 6 -
Delolly Tailah	Radah Kifhen	652 10 -	652 10 -	- - -	652 10 -
Mburahpoor Buffahie	Khurriem Allie	558 14 -	558 14 -	- - -	558 14 -
Mhonfrodpoor	Ghurrieve	152 14 -	163 - -	- - -	163 - -
Govindpoor	Khurram Nubbie	25 2 -	51 10 -	- - -	51 10 -
Nuzzerranud Chundiatt	Meir Moraud Allie	181 - -	181 - -	- - -	181 - -
Khadfy poor	Khoondah Miffah	277 13 -	406 - -	- - -	406 - -
Buxfhah	Meiton, &c.	3,509 - -	3,949 12 -	- - -	3,949 12 -
Newahmah	Guzzarje Sing	431 - -	431 5 -	- - -	431 5 -
Ahmilliah	Shew Loll Sing	280 - -	280 - -	- - -	280 - -
Total Amount D. HAUT.		44,962 - 3	48,017 3 3	884 3 9	47,132 15 6

ABSTRACT of the preceding Account.

Total Pergunnahs in IZZARAH	28,40,746 2 9	30,08,337 5 -	1,77,235 7 3	28,31,101 13 9
Total Pergunnahs in AHMANIE	17,96,009 6 -	19,75,526 5 -	1,36,485 3 9	18,39,041 1 3
Total D. HAUT	44,962 - -	48,017 3 3	884 3 9	47,132 15 6
Grand Total	46,81,717 9 -	50,31,880 13 3	3,14,604 14 9	47,17,275 14 6

Names of the Purgunnahs.	Names of the Aumils.	Neat Jumma as settled by Baboo Jagga Deo Sing for the Fussillie Year 1190.		
Schewpoor Khuthaiher	Kaleb Ally Beg	125,378	5	3
Hurhurpoor Chundwuch	D° D°	24,000	–	–
D. Haut Buxshiaie	D° D°	20,000	–	–
Havilli Jounpoor	D° D°	2,75,001	–	–
Gopaullarpoor	Bowannypersaud	55,001	–	–
Ghurwarrah	Mirza Cossim Beg	1,00,001	–	–
[illegible]moo Pissarah	Baboo Jaggut Sing	65,301	–	–
[illegible]olly Taillah Benares	Chushall Chund Munno Loll	601	–	–
Kunteet	Mirza Zadick Beg	2,23,503	1	3
Bugwut Karona	Baussie Tockrim	1,25,890	–	–
Jeekkennie	Baboo Duljeit Sing	18,001	–	–
Murraiyahoo Ghyswah, &c.	D° D°	2,76,525	10	–
Mahomedabad	Tockrie Rhennoo Sing	1,10,001	–	–
Herrowrah	Baussie Tockrim	17,001	–	–
Zummoneiah Chounsah, &c.	Tockrie Buckhut Sing	3,11,001	–	–
Bullieah, &c.	D° D°	4,73,625	–	–
Mewaie Mowarrie, &c.	Tockrie Rhenno Sing	83,860	2	–
Mungrah	Buswunt Sing	85,001	–	–
Bialliffe	Surroop Sing	42,001	–	–
Zohorabad and Suddiexbad	D° D°	1,50,002	–	–
Lhotah	Baboo Shumboruttim	26,964	12	–
Rhalloopoor	Shewnaut Sing	45,452	–	–
Kholah Assallah	Shewnpersunt Sing	89,101	–	–
Bhurer	Bucktin	34,001	–	–
Bhudhohie and Burra Gong	Dulliep Sing	1,75,659	–	–
Havillie Gauzipoor	Baboo Saiember Sing	80,001	–	–
Bhurhur Beidza-Ghur	Lollperettie Putt	72,001	–	–
Aught Gong and Narrainpoor	Baboo Luckun Sing	61,764	8	–
Bhurshuttie	Shewtoll Sing	89,267	–	–
Suctais Ghurr	Baboo Inderjeit Sing	21,001	–	–
Ghurrah Dhiemah	Baboo Scomber Sing	37,001	–	–
Chittaipoor	Duryaw Sing	12,001	–	–
Mujwah	Dhun Sing	70,001	–	–
Dhoos	Tockrie Rhennoo Sing	32,001	–	–
Khurrieaut Scaikhur	Dussainie Sing	70,001	–	–
Kh[illegible] Mungroar	Baboo Naichut Sing	50,001	–	–
B[illegible] Phendarah Toppah Guzzasah, and	Baboo Naichut Sing	1,12,001	–	–
Dhonzoorah Kersunda	Buyarie Loll	12,001	–	–
Pillorie	Gomaun Sing	1,101	–	–
Kurnah Daurie	Munshee Bier Sing	13,501	–	–

Names of t…	16th May, …aiet, …4th June.	Begins 15th June, Ailaar, ends 13th July.	Begins 14th July, Sawvun, ends 11th Aug.	Begins 12th Aug. Bhadoon, ends 10th Sept.	Total.
Shewpoor Khu…	00 – –	15,000 – –	15,000 – –	13,378 5 3	1,25,378 5 3
Kurhurpoor Ch…	00 – –	2,500 – –	1,500 – –	1,500 – –	24,000 – –
D. Haut, Bux…	00 – –	2,000 – –	1,500 – –	1,500 – –	20,000 – –
Havillie Jounp…	00 – –	20,000 – –	20,000 – –	20,000 – –	2,75,001 – –
Gopaullarpoor	00 – –	5,000 – –	3,000 – –	3,001 – –	55,201 – –
Chuwwurrah	00 – –	9,000 – –	6,001 – –	4,000 – –	1,00,000 – –
Sriamon Pissa…	00 – –	4,500 – –	4,500 – –	2,650 8 –	65,301 – –
Dekoly Jaillah	30 – –	0 – –	30 – –	30 – –	601 – –
Khuntee…	00 – –	25,000 – –	15,000 – –	15,000 1 3	2,23,503 1 3
Bugwut Karon…	00 – –	10,000 – –	4,000 – –	4,890 – –	1,25,890 – –
Jeck kennie	00 – –	1,000 – –	1,000 – –	1,626 – –	18,001 – –
Murraiyahoo C…	00 – –	23,000 – –	20,000 – –	25,545 10 6	2,76,525 10 –
Mahomedabad	00 – –	9,000 – –	9,000 – –	9,876 – –	1,10,001 – –
Herrowrah	00 – –	1,500 – –	1,400 – –	1,163 – –	17,001 – –
Zummonieah	00 – –	25,000 – –	24,000 – –	25,951 – –	3,11,001 – –
Bullieah, &c.	00 – –	40,000 – –	37,000 – –	39,475 – –	4,73,625 – –
Mowaie Mow…	00 – –	6,000 – –	7,000 – –	8,180 2 –	83,860 2 –
Mungrah	00 – –	7,000 – –	7,000 – –	8,001 – –	85,001 – –
Bialliffee	00 – –	3,000 – –	2,000 – –	4,626 – –	42,001 – –
Zohoorabadz	00 – –	12,000 – –	10,000 – –	17,377 – –	1,50,002 – –
Lhotah	00 – –	2,000 – –	2,000 – –	2,667 6 –	26,964 12 –
Rhalloopoor	00 – –	4,000 – –	4,000 – –	4,255 – –	45,452 – –
Kholah Aſſall…	00 – –	8,000 – –	7,000 – –	7,413 8 –	89,101 – –
Bhurer	00 – –	2,500 – –	2,500 – –	3,126 – –	34,001 – –
Bpudhohie an…	00 – –	12,000 – –	12,000 – –	14,659 – –	1,75,659 – –
Havillie Gauz…	00 – –	7,000 – –	5,000 – –	7,001 – –	80,001 – –
Bhurhur Rec…	00 – –	5,000 – –	5,000 – –	6,751 – –	72,001 – –
Aught Goun…	00 – –	6,000 – –	3,000 – –	3,755 4 –	61,674 8 –
Bhurſuttie	00 – –	8,500 – –	7,000 – –	7,212 11 –	89,267
Suctais Ghur…	00 – –	1,500 – –	1,000 – –	1,156 12 6	21,001 – –
Ghurrah Dhu…	00 – –	3,000 – –	3,000 – –	3,013 – –	37,001 – –
Chittaipoor	00 – –	900 – –	900 – –	975 8 6	12,001 – –
Mujwah	00 – –	5,000 – –	5,000 – –	5,076 – –	70,001 – –
Dhoos	00 – –	2,500 – –	1,000 – –	1,438 8 –	32,001 – –
Khurricaut S…	00 – –	5,000 – –	4,000 – –	4,188 8 –	70,001 – –
Khairah Mu…	00 0 0	4,000 – –	4,000 – –	3,001 – –	50,001 – –
Bhoilie Phon…	00 – –	7,000 – –	7,000 – –	7,000 – –	1,12,001 – –
Toppah Gu…					
Dhonreoah K…	00 – –	1,000 – –	1,000 – –	775 – –	12,001 – –
Pillorie	150 – –	101 – –	— —	— —	1,101 – –
Khurna Paun…	300 – –	700 – –	600 – –	1,872 14 –	13,501 – –

KISTBUNDY for the FUSSILLIE YEAR 1,190.

Names of the Purgunnahs.	Names of the Aumils.	Begins 21st Sept. Kwar, ends 20 Oct.	Begins 21st Oct. Khautick, ends 19 Nov.	Begins 20th Nov. Aughun, ends 19th Dec.	Begins 20th Dec. Poos, ends 17th Jan.	Begins 18th Jan. Maag, ends 16th Feb.	Begins 17th Feb. Phauger, ends 18th March.	Begins 19th Mar. Chait, ends 16th April.	Begins 17th April, Bytsack, ends 15th May.	Begins 16th May, Jaiet, ends 14th June.	Begins 15th June, Assaar, ends 13th July.	Begins 14th July, Sawvun, ends 11th Aug.	Begins 12th Aug. Bhadoon, ends 10th Sept.	Total.
Shewpoor Khuthaier	Kaleb Ally Beg	4,000	4,000	5,000	7,000	10,000	12,000	10,000	15,000	15,000	15,000	15,000	13,378 5 3	1,25,378 5 3
Korhurpoor Chundwuch	Do. do.	600	900	1,000	1,000	2,500	3,000	2,500	4,000	3,000	2,500	1,500	1,500	24,000
D. Haut, Buxhaiant	Do. do.	600	600	700	1,600	1,500	2,500	2,500	2,500	2,500	2,000	1,500	1,500	20,000
Havillie Jounpoor	Do. do.	15,000	15,000	17,001	20,000	23,000	35,000	25,000	25,000	40,000	20,000	20,000	20,000	2,75,001
Gopaullarpoor	Bowanny Perfaud	2,500	2,500	4,000	4,000	7,000	7,500	5,000	6,500	5,000	5,000	3,000	3,001	55,201
Chuswurrah	Mirza Coffim Beg	5,000	5,000	8,000	8,000	10,000	10,000	12,000	12,000	11,000	9,000	6,001	4,000	1,00,000
Bisshnoo Piffarah	Baboo Jaggut Sing	2,500	3,500	4,150 8	5,500	7,000	9,000	8,000	9,000	5,000	4,500	4,500	2,650 8	65,301
Dehaly Jaillah Benaris	Chufhall Chund, &c.	60	60	61	60	60	60	60	60	30	30	30	30	601
Chunteer	Mirza Sadick Beg	10,001	10,001	15,001	17,000	20,000	20,000	30,000	20,000	24,500	25,000	15,000	15,000 1 3	2,23,503 1 3
Bugwut Karona	Bauffie Tockrien	5,000	6,000	8,000	7,000	15,000	17,000	10,000	15,000	15,000	10,000	4,000	4,890	1,25,890
Jeck kennie	Baboo Duljiet Sing	800	800	1,000	1,000	2,000	2,275	2,500	2,500	1,500	1,000	1,000	1,626	18,001
Murraiyahoo Ghyfwah, &c.	Do. do.	14,000	14,000	20,000	20,000	25,000	27,979 15 6	30,000	30,000	27,000	23,000	20,000	25,545 10 6	2,76,525 10
Mahomedabad	Tockrie Rhennoo Sing	5,000	5,000	8,000	8,000	11,000	11,125	11,000	12,000	11,000	9,000	9,000	9,876	1,10,001
Herrowrah	Rauffie Tockrien	1,000	1,000	1,000	1,000	1,500	1,938	2,000	2,000	1,500	1,500	1,400	1,163	17,001
Zummonieah Chounfah, &c.	Tockrie Buckhut Sing	15,000	15,000	20,000	20,000	32,000	34,050	35,000	35,000	30,000	25,000	24,000	25,651	3,11,001
Bullieah, &c.	Do. do.	22,000	22,000	35,000	35,000	46,000	47,150	50,000	50,000	50,000	40,000	37,000	39,475	4,73,625
Mowaie Mowarrie, &c.	Tockrie Rhennoo Sing	3,500	3,500	6,000	6,000	8,000	9,680	9,000	9,000	8,000	6,000	7,000	8,180 2	83,860 2
Mungrah	Dpfwunt Sing	4,500	4,500	6,000	6,000	7,000	8,000	9,000	9,000	9,000	7,000	7,000	8,001	85,001
Bialliffee	Surroop Sing	2,000	2,000	2,500	2,500	4,000	5,375	5,000	5,000	4,000	3,000	2,000	4,626	42,001
Zohoorabadz Suddieabad	Do. do.	7,000	7,000	11,000	11,000	14,000	15,625	15,000	15,000	15,000	12,000	10,000	17,377	1,50,002
Lhotah	Baboo Shumbooruttun	2,000	2,000	1,500	1,500	2,200	2,597 6	3,000	3,000	2,500	2,000	2,000	2,667 6	26,964 12
Rhalloopoor	Shewaaut Sing	2,500	2,500	3,500	3,500	3,500	4,197	4,500	4,500	4,500	4,000	4,000	4,255	45,452
Kholah Affallah	Shewperfunt Sing	5,000	5,000	6,000	6,000	7,000	8,687 8	10,000	10,000	9,000	8,000	7,000	7,413 8	89,101
Bhurer	Bucktin	1,500	1,500	2,500	2,500	3,000	3,875	4,000	4,000	3,000	2,500	2,500	3,126	34,001
Bpudhohie and Bhur Gong	Dulliep Sing	9,000	10,000	11,000	12,000	15,000	19,500	23,000	22,000	15,000	12,000	12,000	14,659	1,75,659
Havillie Gauzipoor	Baboo Saimber Sing	4,000	4,000	6,000	6,001	7,000	8,000	9,000	9,000	8,000	7,000	5,000	7,001	80,001
Bhurhur Reedzai Ghur	Loll Peiittie Putt	3,500	3,500	5,000	5,000	6,000	7,250	9,000	9,000	7,000	5,000	5,000	6,751	72,001
Aught Goung and Narrampoor	Baboo Luckhun Sing	3,500	3,500	5,500	5,500	4,500	4,509 4	7,000	7,000	8,000	6,000	3,000	3,755 4	61,674 8
Bhurfuttie	Shew Loll Sing	5,000	5,000	7,000	7,000	7,500	7,554 5	9,500	9,500	8,500	8,500	7,000	7,212 11	89,267
Suctais Ghurr	Baboo Inderjeit Sing	1,400	1,500	1,700	1,700	1,500	2,044 3 6	2,500	2,500	2,500	1,500	1,000	1,156 12 6	21,001
Ghurrah Dhuinah	Baboo Seombes Sing, &c.	2,000	2,000	3,000	3,000	3,000	3,188	3,800	4,000	4,000	3,000	3,000	3,013	37,001
Chittaipoor	Duryaw Sing	800	800	1,000	1,000	1,000	1,025 7 6	1,300	1,300	1,000	900	900	975 8 6	12,001
Mujwah	Dhun Sing	3,500	3,500	5,500	5,500	6,500	6,425	8,000	8,000	8,000	5,000	5,000	5,076	70,001
Dhoos	Tockrie Rhennoo Sing	2,000	2,000	2,500	2,500	3,000	3,062 8	4,000	4,000	4,000	2,500	1,000	1,438 8	32,001
Khurrieaut Scaikur	Duffainie Sing	4,000	4,500	5,500	5,500	6,000	7,312 8	9,000	8,000	7,000	5,000	4,000	4,188 8	70,001
Gurrah Mungroar	Baboo Naichul Sing	3,000	3,000	4,500	4,500	5,000	5,000	5,000	5,000	4,000 0 0	4,000	4,000	3,001	50,001
Bholie Phondafah	Baboo Nichul Sing	6,000	6,000	11,000	11,000	11,000	11,000	12,000	12,000	11,000	7,000	7,000	7,000	1,12,001
Toppah Guzzarah, &c.														
Dhoureoah Kirfonda	Bayharrie Loll	700	700	800	800	1,000	1,625	1,300	1,300	1,000	1,000	1,000	775	12,001
Pillorie	Gomaun Sing	50	50	100	100	100	150	150	150	150	101	—	—	1,101
Khurna Paunrie	Munshe Rier Sing	700	800	1,000	1,000	1,300	1,428 2	1,300	1,400	1,300	700	600	1,872 14	13,501

Die Mercurij, 30° *Maij* 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed Counſel for the Defendant, they might proceed with their Evidence.

Mr. Markham was again called in, and croſs-examined, as follows:

Q. You have ſaid that two Lacks of Rupees, given to Mr. Haſtings as a Preſent by Cheit Sing's Vakeel, had been applied to the Company's Service, is it ſo?

A. Before I anſwer any Queſtion, I wiſh to ſtate a Thing that has happened within theſe few Minutes; I have received a Note from one of the Honble. Managers, encloſing a Letter of my own to my Father immediately after the Diſturbances at Benares. The Honble. Manager, in his Note to me, has deſired me to correct my Evidence in ſome Inſtances where it has been rather inaccurate; I would much rather lay the whole Letter before this Right Honourable Court, if I have Permiſſion; I hope it will ſhew that my Evidence has not varied in any material Point.

The Managers for the Commons ſtating, That they had no Objection to the ſame being read, together with the Note accompanying it, the Witneſs read as follows:

" Sir,

" Being in the Country laſt Sunday and Monday, in looking over ſome Papers I found the encloſed Letter from you to the Archbiſhop of York; his Grace ſpoke to me of it at Court, and ſent it to me, as I recollect, the Evening of our Converſation, as a Member of the Select India Committee, for my Information in that Character, as an oſtenſible Letter upon a public Tranſaction, and containing no private or family Matter whatſoever; it did not appear to differ, excepting Matters of Opinion, in any of the Parts, which I deemed very eſſential, from the Accounts I had then received from various Quarters, I therefore thought no more of it, until by mere Accident I found it at the Time and Place I mentioned; it is written in a Clerk's Hand, though ſigned, as I conceive, by yourſelf; I ſend it as I received it, and I keep no Copy.

" I have marked ſome Parts with a Pencil, if, as the Tranſaction was ſo many Years ago, and that your Memory may eaſily not have ſerved you perfectly, perhaps you might wiſh to render ſome Parts of your Evidence more exact; it is for that Reaſon I now ſend it to you, wiſhing you to make ſuch Uſe of it as you think proper, but this I leave wholly to your own Diſcretion. The Letter is in your ſole Poſſeſſion.

" I have the Honour to be, with very great Reſpect,

" Sir,

Your moſt obedient

" Wedneſday, May 30th 1792. And humble Servant,

" Edm. Burke."

" Perhaps you may think the Matters marked of no Moment. I ſhall make no Uſe of it, and it is, I think, more proper that you ſhould have it than I."

" My dear Father, " Benares, January 3, 1782.

" I have not, ſince March laſt, had any Opportunity of writing to you. The Swallow, I underſtand, is ready for ſailing, and I muſt make the beſt of my Time to tell you a long Story, in which I have been a great deal concerned.

" In my Letter of the 28th March, I informed you that I was appointed Reſident, and had been a Month at Benares. Nothing particular happened from that Time till the Arrival of Mr. Haſtings, on the 14th of Auguſt, who left Calcutta to proceed to Lucknow, with a declared Intention of reforming Abuſes, and retrenching a moſt enormous Expence which has crept into the Eſtabliſhments of the Upper Stations, from the Difficulty of correcting Corruption at the Diſtance of 900 Miles.

" I muſt

" I muſt now return to Benares, and give you ſome Accounts of Rajah Cheyt Sing, his Birth, and the Right of his Father and himſelf to this Zemindarry. His Father, Rajah Bulwan Sing, who was formerly poſſeſſed of the ſmall Zemindarry of Gongupoor, by his Abilities, and the Advantage which he took of Diſſentions among the Zemindars around him, and by Bribery at the Court of Sujah-Ul-Dowla, the late Suba of Oude, obtained Poſſeſſion of the Five Circars of Benares, Juenpoor, Guzipoor, Chunar, and Canteet. He paid yearly a Revenue of Twenty Lack of Rupees to Sujah-Ul-Dowla; though he never could obtain a regular Sunnud for Countries he thus uſurped; he was therefore in continual Fear of being diſpoſſeſſed, and wiſh acquire ſome ſtrong Poſts, by the Help of which he might be able to withſtand any ſudden vaſion.

" The Fort of Bidjegur preſented itſelf to him as a Place in which at all Times he might depoſi his Treaſures in Security, and, in the Event of an Attack, his Women and Family: its being the Right, and in Poſſeſſion of another Zemindar, was no Obſtacle to his Views. He waſted the Country round it with Fire and Sword, and carried away Captive, Men, Women, and Children: Among the latter was a Girl named Ponnah, whom he entruſted for her Education to a famous Notch Girl at Jumpoor. After Two Years, being tolerably qualified in her Profeſſion, ſhe was brought to him. He liked her, and by Permiſſion of his Wife Golaub Cooma (by whom at that Time he had a Daughter) took her to his Bed. The Produce of this Connection was Sons, Cheyt Sing the Rajah, and Soojun Sing. I have been thus particular, in relating cumſtances of Raja Cheyt Sing's Birth, that it may ſhew you the Weakneſs of his Title ritance from his Father. Bulwan Sing died in September 1769, without a Will; but deli his Death Bed, that his Treaſures and his Country might devolve to his Wife Gulaub Co and to her Iſſue by his Body.

" Chyet Sing was at this Time a Lad of 15 Years of Age; and Aſſam Sing, who been Naib to his Father, imagined he ſhould enjoy a more abſolute Authority if he placed Minor on the Muſnud in Preference to the Old Rannee, to whom the Right of Succeſſion belonged. He attempted it by every Art and Bribery both with Souja-ul-Dowla, and his Miniſters, and he at that Time ſucceeded; but without being able to obtain a Sunnud from the Nabob Vizier.

" In 1773 the Vizier Souja-ul-Dowla came to Benares to meet Mr. Haſtings, for the Adjustment of ſome Diſputes between him and the Company; and for the Settlement of ſome Arrangement propoſed Treaty; including likewiſe as a Secondary Object of his Journey to diſpoſſeſs Raja Chyet Sing, and to ſeize his Treaſures. Mr. Haſtings, out of mere Compaſſion to the Land, and wiſhing to avoid being involved in any Diſturbance during his Reſidence at Benares, which ſuch an Attempt might occaſion, perſuaded the Vizier Nabob to forego his Purpoſe, on additional Obligation on the Raja, to ſign a Sunnud, fixing him as Zemindar, on payment a very moderate Tribute.

Orig. " In 177* the Vizier Aſoph ul Dowla, who ſucceeded his Father Souja-ul Dowla, in the Subah of Oude, ceded theſe Countries, with the Sovereignty and every Right appertaining to them, to the Company in Lieu of the Provinces of Allahabud and Corah.

" Raja Chyet Sing became from this Time a Zemindar or Land Holder of the Company, on the very moderate Terms of the annual Payment of Twenty-two Lack, Twenty-one Thouſand ſeven hundred and forty-five Calcutta Sicca Rupees, and the Government permitted him to coin at the Benares Mint and Courts of Juſtice, as an additional Motive for his good Behaviour.

" When the Supreme Council heard of the Declaration of War between France and England; and when they found the unavoidable Neceſſity of continuing the Mahratta War, which was not to be gained on honourable Terms, thought it but juſt and equitable that Raja Cheyt Sing ſhould, in ſome Degree, contribute to the Expences of the War; as he, in particular, derived ſo great Advantage from the Protection and Proſperity of the Company.

" Five Lacks yearly till Peace ſhould be concluded, was the Sum demanded of him. He pleaded Poverty, and attempted every Art of Chicane to avoid conſenting to the Demand.

" This happened Two Years ſucceſſively, and he was as often obliged to comply. In the Beginning of 1778 he ſent Buxey (or his Paymaſter) Suddinund to Mr. Haſtings in Calcutta, profeſſing great Contrition for this and other Offences committed againſt his Government, promiſing a good Behaviour for the future, and his Readineſs to aſſent to the Payment of the five Lack, or even a large Sum immediately on the Requiſition being made,

" Mr. Haſtings conſidering the paſt might be the Error of his Youth only, freely forgave him, and promiſed him his Protection, and that of the Company, if he relapſed not into his former Follies, and if he diſmiſſed ſome Evil Councellors from his Confidence.

" At this Time an Expedition into the Province of Mahva was projected by the Governor General and Council againſt Madajee Syndia, and was ſoon after carried into Execution, under the Command of Lieutenant Colonel Camac.

" Mr. Fowke, the then Reſident of Benares was directed to demand the Annual Five Lacks, and to appropriate it to the Diſburſement of this Detachment. The Rajah agreed to ſatisfy the Demand without Heſitation. But a ſhort Time after, the Differences in Council happening between the Governor General and Mr. Francis, he conceived that Delays might turn out to his Advantage, in the Event of the latter gaining a Majority. This Procraſtination nearly proved the Ruin of Colonel

Colonel Camac's Detachment, for as this, as a ſufficient Fund, had been appropriated to that Service, no other had been provided.

" When the Report of Mr. Francis's Return to Europe was current through the Country, by which the Rajah's Views were fruſtrated, he paid the Money, but the Miſchief was already done; the Forces being almoſt ſtarved for Want of Aſſets to defray their Expences.

" In the Month of October, a Body of Cavalry was thought neceſſary to join the Troops againſt Syndia; and the Governor General and Council applied through the Reſident to Cheit Sing, [illegible]ring him to ſpare as many as he could, without injuring the Revenues of his own Country. [illegible]hough he had about 3000 in his Service, he would barely agree to ſupply 250. At this [illegible]me I arrived at Benares with the Governor General's poſitive Injunctions to him immediately to [illegible]end 1500, to be employed on any Service Government ſhould point out.

" I uſed every Endeavour in my Power to convince him of the Abſurdity of his Conduct and of the Prejudice it muſt do him in the Eyes of Government. I miſſed not a Day, in either converſing or writing to him on the Subject; and as often informed Mr. Haſtings of the Subſtance of our Converſation. He would agree only to ſupply Five Hundred.

" Superadded to theſe Delinquencies, he was endeavouring to form Alliances with Powers inimical to our Intereſts, that he might ſecure to himſelf the independent Poſſeſſion of theſe Countries, ſhould we be worſted either by France or the Mahratta.

" [illegible]he internal Police of his own Country was, beyond Precedent, infamous; Murder, Rob[illegible]nd Rapine paſſed without Enquiry.

" [illegible]ither the Governor General's poſitive Orders, nor my moſt earneſt Entreaties, had any [illegible] in procuring Juſtice to Individuals.

" His own Debaucheries were notorious, even to Crimes which we think degrading to Human [illegible]ure.

" In June laſt, 1781, Mr. Haſtings left Calcutta, with an Intention of proceeding to Luc[illegible]w: I met him at Boglipore; he communicated to me his Diſſatisfaction at the Conduct of [illegible]heit Sing, and his Determination of obliging him to pay the Company a Sum of Money as the Forfeit of his Delinquency. On his Arrival at Buxar, he found Cheit Sing ready to receive him; but with a Force of 3 or 4000 Men—a Piece of Preſumption in this Country, I believe, [illegible]

" [illegible]th of Auguſt he arrived at Benares; and on the 15th, drew up a Paper in the Perſian Language, recapitulating his many Offences. This he entruſted to me to deliver to Cheit Sing, demanding a categorical Anſwer to it within the Courſe of that Day. He received an Anſwer indeed, but evaſive and unſatisfactory; and, in Conſequence, directed me to arreſt him on the Day following. The Rajah's Palace, called Ramnagur, is on the Southern Side of the River, nearly oppoſite to Benares; but at this Period he reſided in a ſmall religious Building on the Banks of the River, and in the Suburbs of the Town, named Sewaly Ghaut: Accompanied by my Friend, Lieutenant Stalker, and about Sixty Orderlies, with their Swords only, I entered the inner Court, and found the Rajah in an open Room on one Side. I ſat down with him; and after ſome trifling Converſation, deſired him to be under no Apprehenſions,—but, that it was the Governor General's Pleaſure, that for the preſent, he ſhould conſider himſelf under an Arreſt, and that all Reſiſtance would be in vain, as he muſt ſee that he was entirely ſurrounded by my Orderlies, that would ſacrifice him on the leaſt Appearance of any Attempt of his own, or his People to an Eſcape; and that Two Companies of Major Popham's Regiment would arrive in Two Minutes to take him into Cuſtody. That, on the other Hand, if he ſubmitted quietly, every Lenity, excluſive of Liberty, ſhould be ſhewn him. He ſubmitted,—beſeeching me to write to Mr. Haſtings with a favourable Report of his preſent Conduct; and declaring, that he was ready to comply with any Orders that Mr. Haſtings might give him. After having delivered him into the Cuſtody of Lieutenants Scott and Symes, who commanded the Two Companies before mentioned, with Directions for poſting Centries, and diſarming and turning out of the Court all his Followers, allowing only Six unarmed Servants, whomſoever he ſhould name, to attend on his Perſon,—I aroſe from my Chair, and aſked Mr. Stalker if he was ready to return? About the Rajah, with a good deal of Importunity, requeſted that Mr. Stalker might be permitted to remain, as he was the only One of the Three with whom he was at all acquainted. [illegible] there, and returned to the Governor General with an Account of what had paſſed;—he ſeemed pleaſed at the ready Obedience which the Rajah had ſhewn to his Order; and drew up a Paper, in Engliſh, the principal Purport of which was, that Rajah Cheit Sing ſhould deliver up his Forts to be garriſoned by our Troops. That he ſhould pay a certain Sum of ready Money to the Company as an Atonement for his paſt Miſconduct. That he ſhould diſmiſs thoſe Perſons who had been the Counſellors of his Contumacy. That he ſhould ſettle his Country in ſuch a Manner, as Government might have no Apprehenſion of his falling ſhort in his ſtipulated Payments; and deſiring him forthwith to ſend certain principal Officers to anſwer ſuch Interrogatories as ſhould be put to them.

" I was ordered to read this Paper to the Raja—As I was getting into my Palankeen, my Friend Major Palmer called to me, adviſing that I ſhould take with me Mr. James Anderſon, one of the beſt Perſian Scholars in India, as he would be better able to interpret each Word in its preciſe literal Senſe, and that the Paper required ſuch Tranſlation. I was ſenſible of the

Force of his Argument, and begged of the Governor to permit Mr. Anderſon to be preſent at my Interview with the Raja.—He at laſt aſſented, but Mr. Anderſon was not to be found; and after a Search of Two Hours, which was fruitleſs, the Governor, laughing, told me, that as I had left no other Perſon to entertain him, and my Company at Dinner, I had better write to the Rajah that I would be with him by Half after Three, and in the mean Time that he ſhould be under no Apprehenſion.

" At this Inſtant a Letter arrived from Mr. Stalker, that ſeveral Boats of armed Men were croſſing the River, and that by a Miſtake of one of the Officers of the Two Companies who were Guards over the Raja, they had not a ſingle Cartridge of Ammunition with them.

" A Reinforcement of one Company and Ammunition immediately was ordered to their Aſſiſtance; but before they could join, the bloody Buſineſs was completed. The Officers, after aſtoniſhing Proofs of Courage in their own Defence, and in their Endeavours to prevent the Eſcape of the Raja, were ſhockingly mangled and hewn in Pieces. But let me draw a Veil over ſo diſagreeable a Scene, and only obſerve to you, that my Eſcape ſeems providential, as I ſhould have met my Fate at the ſame Time, had not the Delays occaſioned by the Abſence of Mr. Anderſon prevented my Return. The Rajah eſcaped through a ſmall Window, and croſſed over to Ramnagur, and during the Night, fearful of an Attack, retired to his Fort at Buttiſpore.

" Two Battalions, under the Command of Captain Mayaffre, with four Guns and a Howitzer, ordered from Chunar Gur and Mirzapoor, to encamp within a ſhort two Miles of Ramnagur on the 19th of Auguſt, without any Knowledge or Enquiry into the Strength of the Place, the Avenues leading to it, or the Number of the Troops poſted there. Captain Mayaffre raſhly attempted to force his Way through the Town, that he might blow open the Gates of the Fort and ſtorm.

" The Place is compoſed of a Number of ſmall Alleys interſecting each other; ſome Stone and Brick Houſes, and high Walls; from hence the Enemy kept up an almoſt continual Fire on our Troops, who behaved with their accuſtomed Bravery, and puſhed to gain a more open Place. The ſecond in Command, Captain Doxit, with ſeventeen out of the thirty of the French Chaſſeurs, whom he commanded, fell. Mayaffre now ſeeing the Impracticability of ſucceeding in his Attack, ordered a Retreat, but determined not to ſurvive the Diſgrace which would await him. In this Reſolution, ſtanding by one of his Guns, which he was endeavouring to fire, he was ſpeared and cut down. The ſhattered Remains of his Two Battalions retreated to Chunar.

" Our Situation was now very critical; our own Troops beaten; the Enemy flushed with Succeſs, and we ſituated in a defenceleſs Houſe on the Benares Side of the River, having only Three complete Companies of Sepoys, diſpirited at the Loſs of their Companions, for our Guard.

" On the 21ſt, in the Evening, it was determined to remove to Chunar Gur, and this Reſolve was in ten Minutes after put in Execution. We reached Chunar Gur at Day-break in the Morning. I ſhall here cloſe my Account of Military Operations, only obſerving that Cheyt Sing was by the 20th of September entirely driven out of the Confines of theſe Provinces.

" On the 27th of September, the Governor General arrived at Benares, and Myhipnarain the Grandſon of Bulwan Sing, by the Daughter before mentioned, being legal Heir, was declared Rajah of Benares; but the yearly Sum ſtipulated to be paid to Government, is increaſed from Twenty-three Lacs to Forty, ſo in the End the Company will become Gainers by this Buſineſs, Seventeen Lacs, or One Hundred and Seventy Thouſand Pounds per Annum.

" I am,
My Dear Father,
your affectionate
and dutiful Son,
" Wm Markham."

Q. It being ſtated in that Letter, that Cheit Sing had been making Alliances abroad for the Sake of Independency, what Documents have you concerning thoſe Alliances, with whom made, and how authenticated?

A. My only Reaſon for wiſhing this Letter to be read was, that if I had been inaccurate in any Point, the Court would be as well acquainted how I came to correct it as I was myſelf, and as Memory is certainly fallible, to ſhew how far that Fallibility interfered with the Evidence that I have given to the Court; with reſpect to the Anſwer to the Queſtion, I underſtood from Mr. Graham, and others, that he had Intercourſe with Nudjeef Cawn, and the Mahrattas. I did not think it ſufficient Evidence to ſtate to the Court further than I have done; and it is but Hearſay.

Q. Whom did you mean by, " He had Intercourſe?"
A. Rajah Cheit Sing I mean by " He."

Q. Explain to the Court what Settlement it is Mr. Haſtings propoſed to make of the Rajah's Revenue, ſo as to render the Payments more punctual, and to prevent any Irregularity?

A. I really cannot ſay, for I do not remember that it was ever mentioned.

Q. But

Q. But only in general?
A. The Diſmiſſion of ſome of his evil Counſellors; but I cannot ſpeak as to Particulars.

Q. What principal Officers were thoſe who were to anſwer Interrogatories?
A. Suddanund Buxey and the Mutſuddies, as I have ſtated before generally.

The Managers for the Commons deſired the Queſtion firſt put to the Witneſs on this Day might be read. The ſame was accordingly read by the Clerk as follows:

"Q. You ſaid that Two Lack of Rupees given to Mr. Haſtings as a Preſent by Cheit Sing's Buxey had been applied to the Company's Service—Is that ſo?"

The Managers for the Commons ſaid the Queſtion they meant to put was,

Q. How do you know that?
A. Mr. Haſtings ſo communicated it to me, and ſaid that it was paid into the Treaſury of the Company, I believe, and afterwards when he communicated this Affair to Mr. Sullivan, one of the Court of Directors, he ſtated that he had appropriated that Sum to the Service of the Company.

Q. Have you the Letter to Mr. Sullivan?
A. I have not.

Q. Who has?
A. I ſuppoſe Mr. Sullivan's Executors; I do not know.

Q. Have you any Copy of it, or do you know of any Copy of it?
A. There was a Copy of it in my own Hand Writing, and ſome Time before I gave Evidence in the Houſe of Commons upon that Subject, I had ſeen that Letter in Mr. Haſtings's Poſſeſſion.

Q. Can you produce the Copy?
A. I cannot.

Q. Whether you know in whoſe Name it was entered in the Company's Depoſits; whether in the Name of the Company, or in the Name of Mr. Haſtings?
A. I believe in the Name of Mr. Haſtings, but I remember the Expreſſion in that Letter to Mr. Sullivan, that he could not have received it but upon the Company's Account.

Q. Whether this was a private Letter to Mr. Sullivan, or a public Letter to him, as One of the Court of Directors?
A. I believe it was a private Letter to Mr. Sulivan, but Mr. Haſtings in that Letter deſired him to make any public or private Uſe of it he pleaſed.

Q. Was not Mr. Sullivan a Kind of Agent to Mr. Haſtings in this Country?
A. I do not know that he was, any further than that I believe Mr. Haſtings made a free Communication of whatſoever happened in Bengal to Mr. Sullivan.

Q. Whether you have not heard that Mr. Haſtings's Agent here was not to do any Thing without the Concurrence of Mr. Sullivan?
A. I have; that proves I ſhould think, that Mr. Sullivan was not the Agent of Mr. Haſtings.

Q. What Knowledge have you of the Application of 10 Lack of Rupees, which you have heard to be intended for the Company; did you know any Thing about it, while you remained in India, and how?
A. I did hear it in India, how I cannot ſay, but it was no Communication to me from Mr. Haſtings; I conſidered it as a Thing well known.

Q. Did you conſider the Circumſtance of the taking the Ten Lack by Mr. Haſtings of the Nabob Vizier, as a Thing well known in India, at the Time?
A. I ſhould ſuppoſe it was a Thing well known a very few Months afterwards, as every Body had the ſame Means of knowing it that I had.

Q. From whom did you receive your Information that Mr. Haſtings had received the Preſent of Ten Lack of Rupees from the Nabob Vizier, the Time when, as nearly as you can, and the Perſon from whom you had it?
A. I really cannot inform the Court on the Subject, any more than I could who firſt informed me of the late Defeat of the French at Namur, or any other Circumſtance not coming within my own Knowledge.

Q. State, whether Mr. Haſtings, upon his Retreat from Shewallah or Benares, retreated in Order or in Confuſion?
A. Before we marched, there was a Confuſion among the Servants and the Palanquins, and they miſſed the Road. I was deſired to point out the Road to them, as I believe I was as well acquainted

acquainted with it as any Hircarrah. I was in the Advanced Guard with Captain Holkham, and only once went back for Orders to Colonel Popham, when I thought they were in very good Order.

Q. Who closed the Rear?
A. I really do not recollect.

Q. What Diſpoſitions were made for their Retreat?
A. I really cannot ſay what the Orders were—the Orders of Marching.

Q. What previous Orders had Mr. Haſtings given to provide for an orderly Retreat—Whether you know of any, and what?
A. I do not; for as ſoon as I underſtood we were to march, I went upon my own Buſineſs, and to ſave what Furniture and Goods I could.

Q. Whether you know of any Order or Direction whatſoever, given by Mr. Haſtings, to ſecure a ſafe and orderly Retreat of the Engliſh then at Benares, and their Attendants?
A. I do not know what Orders Mr. Haſtings gave.

Q. Whether you know of any Orders whatſoever having been ſo given?
A. I do not know what Orders were given.

Q. The Queſtion is, not what Orders were given, but whether you know that any Orders were given to ſecure a ſafe and orderly Retreat?
A. I have already ſtated, I was not with Mr. Haſtings after the firſt Intimation that we were to retreat that Night; and therefore do not know whether any Orders were or were not given.

Q. Did not you receive Orders to lead one of the Diviſions, or to guide them?
A. I thought the Queſtion meant the Orders at Mahadew Daſs's Garden.

Q. Certainly?
A. I received no Orders to lead a Diviſion, but as I knew the Road, I was deſired by Major Popham, or Mr. Haſtings, but I believe by Major Popham, to go with Captain Holkham.

Q. Do you know, or have you heard, what became of the Diviſion which had miſtaken the Road?
A. I believe the Diviſion that is ſaid to have miſtaken its Way, was one coming to our Aſſiſtance from Chunargur.

Q. You were underſtood to ſay, that one Part of the Body which retreated with Mr. Haſtings had miſtaken its Way?
A. I do not know that any Part of the Troops miſtook their Way.

Then the following Queſtion, and the Anſwer of the Witneſs, were read by the Clerk as follows:

'Q. State whether Mr. Haſtings upon his Retreat from Shewallah or Benaris retreated in Order or in Confuſion?
'A. Before we marched there was a Confuſion amongſt the Servants and the Palankeens, and they miſſed the Road: I was deſired to point out the Road to them, as I believe I was as well acquainted with it as any Hircarrah. I was in the advanced Guard with Captain Holkham, and only once went back for Orders to Colonel Popham, when I thought they were in very good Order.'

Then the Witneſs ſaid,

I believe there is a little Inaccuracy; I was not deſired to put theſe Servants and Boats into the right Way, but the Line of March, and the Troops, with whom I continued, to Chunar.

Q. Have you heard whether or no ſome Part of the Body of the People that retired with Mr. Haſtings from Benares, fell into the Enemy's Hands, with their Effects?
A. I believe I have already ſtated in my Evidence, that I detached ſome Hircarrahs to different Dependants of the Engliſh, warning them of our immediate Retreat;—theſe Hircarrahs, from Fear, I believe, did not carry thoſe Meſſages. I do not know of any Effects that were loſt, unleſs they were my own, and the Boats which the Governor General brought up with him. I believe myſelf, and my own Servants, to have been the principal Loſers.

Q. Whether ſome of thoſe Perſons did not fall into the Enemy's Hands—any of thoſe who were ordered, and had begun to retreat?
A. I do not recollect any Perſon, unleſs it was Mr. Barnett, who, as he afterwards told us, did come out of his own Houſe to join us; but, apprehenſive of an Attack being made upon us in our March, choſe rather to truſt his Perſon to Cheit Sing than to ſtand any Shot.

Q. Did

Q. Did not you hear, that ſeveral Perſons were in the ſame Situation with Mr. Barnett, either taken by the Enemy in attempting to retreat, or prevented going out of the Town?
A. I all along underſtood the Queſtion to mean—thoſe that had already begun their March.

Q. Certainly; the Queſtion means them: Whether you have not heard, that Perſons under Orders of marching, or who had marched, were taken by the Enemy?
A. I do not recollect that any one of them fell in.

Q. Not one fell into the Hands of the Enemy?
A. Not that I know of.

Q. Have you heard?
A. Really, I don't believe that any one who had begun their March with us, were ever interrupted, or cut off from joining us.

Q. Whether there were not Engliſh, and Dependants upon the Engliſh, that continued at Benares, after the March of Mr. Haſtings and his Troops to Chunargur?
A. I do not know of any Engliſh except the aforementioned Jew, Mr. Barnett. Of the Dependants of the Engliſh, ſeveral were taken in Benares.

Q. Have you heard that any of thoſe who continued at Benares, and were ſo taken, were put to Death, or otherwiſe mal-treated by the Order of Cheit Sing?
A. My own Moulavy, my confidential Servant; the old Moulavy was, as I have ſtated in my former Evidence, put to Death by the Orders of Cheit Sing; I believe in Beechagur.

Q. Whether any of thoſe left at Benares were put to Death by the Orders of Cheit Sing?
A. I do not know that there were any, unleſs it was the Hircarras going from Benares with Letters, ſeveral of whom were put to Death.

Q. Where were they put to Death?
A. I know more than I can inform the Court.

Q. Do you know it was by any Orders of Cheit Sing?
A. I underſtood there was a General Proclamation from Cheit Sing to put every Dependant of the Engliſh to Death.

Q. Whether any Perſons were actually put to Death by his Orders?
A. I do not know a ſtronger Order than a Proclamation.

Q. Whether any one was put to Death in conſequence of the Proclamation, or otherwiſe, who continued in the Town of Benares?
A. I believe not; they were in general ſent Priſoners to Cheit Sing, and many of them were there tortured.

Q. What Knowledge have you of thoſe Tortures?
A. I can mention it from the People who were tortured.

Q. What Perſons were tortured?
A. The Man that was afterwards Aumeen of Benares, whoſe Name was Chump Roy, he told me, that when in Confinement at Lutteefpoor he had been tortured by Gunlocks.

Q. How ſoon after that Operation did you ſee him?
A. I did not ſee him till after his Releaſe; how long that was I cannot ſay.

Q. Did you examine him to ſee if he had the Marks of that Torture?
A. I do not know that it would have left a Mark, for it is by the Continuation of the Inſtruments hanging to the Muſcle that I have heard the Pain is produced, and not by any particular Wound upon the Fleſh.

Q. Did he tell you it was by Order of Cheit Sing?
A. I cannot bring it to my Recollection, but I think he ſaid the Rajah's Brother Soojaun Sing ſaw him under the Circumſtances; there was another Man, his Deputy, whoſe Name I have forgotten, who was tortured in the ſame Way.

Q. Were thoſe Engliſh, or Dependants of Engliſh?
A. They were not; the Man had been Aumeen of the Town of Benares, and he was ſuppoſed to be a Favourer of the Engliſh.

Q. Whether or no you are ſure that it was in the Power of Cheit Sing, in the firſt Heat of Inſurrection, to prevent many Things being done contrary to the Laws of War?
A. I believe from the Beginning that the Orders of the Rajah would have been implicitly obeyed.

Q. Whether, in the firſt Heat of the Inſurrection, it was in the Power of Cheit Sing to prevent Acts from being committed which were contrary to the Laws of War? Do you mean that from the Beginning of the Inſurrection he could have done that?

A. I do believe that the Rajah Cheit Sing might have prevented the Maſſacre of Shewallah; and from that Time forward, every Barbarity that was afterwards committed.

Q. How do you know that he might?

A. I underſtood the Queſtion meant to aſk my Opinion, whether I thought ſo or no; that I anſwered.

Q. Upon what Grounds do you think ſo;—upon a tumultuary and general Inſurrection?

A. I have never ſtated that it was a tumultuary Inſurrection; I have ſtated that Buxey Sadnund wrote Letters, ordering Troops over from Ramnagur; I have ſaid that thoſe were regular Troops, and that the Inhabitants of Benares were not I believe one of them engaged in it.

Q. Were all the Forces that were employed againſt the Company regular Troops?

A. What I ſtated in my laſt Anſwer applies to Shewallah Ghaut; afterwards, when the Rajah retreated to his Forts, there was a general Order for every Renter to appear with as many Troops as they poſſibly could, and many People of the Country attended them.

Q. Then, there was nothing of a tumultuary riſing at all; no People roſe tumultuary in any Part of the Country—are we to underſtand that? Do you mean to confine yourſelf to Shewallah Ghaut, whether Cheit Sing did not make his Eſcape, and not continue to command there?

A. He ran away as faſt as he could.

Q. Whether you recollect what Number of Men, Women, and Children, were taken at Bidjigur?

A. I don't know.

Q. Whether you have not heard that there were about 300?

The Queſtion was objected to. The Queſtion was waived.

Q. (*By a Lord.*) Was you at Bidjigur?

A. I was not there.

Q. Whether you know that the whole Treaſure and Effects, taken at Bidjigur, were the Property of Cheit Sing, and that no Part belonged to his Mother, and to the other Women or Children, or Perſons there?

A. I underſtood that the Property at Bidjigur belonged to Cheit Sing.

Q. From whom?

A. It is a Thing I never heard doubted till this Moment.

Q. Did you ever make any Enquiry upon that Subject?

A. Not I indeed.

Q. Whether any Steps were taken to aſcertain this Point? Whether you know that Mr. Haſtings, or any Body elſe took any Meaſures to aſcertain to whom this Property belonged, in the Whole or in Part?

A. I do not.

Q. Do you know whether ſome of the Women in that Fort had Jaghires or Penſions upon the Revenue in Benares?

A. I do not know it.

Q. As you had Poſſeſſion of the Revenues in your Hands for ſome Time, jointly with others, whether you have Reaſon to believe they had or had not?

A. I believe the Honble. Manager is rather miſinformed in that Point, becauſe it is an Aſſumption which I don't accede to.—I do not know they had.

Q. Have you heard that much of the Effects taken were ſet up to ſale?

A. I believe when the Fort was taken, the Committee of Officers ſold every Thing.

Q. From whom had you the Plate which you delivered, or knew to be delivered, to thoſe unfortunate Women?

A. I really do not know who gave me the Plate, but I ſhould rather imagine it was ſent to me by Mr. Scott.

Q. The Queſtion does not mean the Sword, but the Plate.

A. I do not mean the Sword, but the Plate.

Q. Have you ſeen any Inventory of the Quantity and Value of that Plate?

A. I do not recollect either having ſeen the Plate, or any exact Inventory of it.

Q. What

Q. What Age was you when you was directed by Mr. Haſtings to new regulate the Cuſtoms at Benares?

A. I was not ordered to regulate the Cuſtoms at Benares, but to make a Statement of them.

Q. When you made the Statement of them?

A. I believe I was born on the 5th of April 1760.

Q. What Experience had you at that Time of Commercial Affairs of any Kind?

A. I certainly had no Experience in Commercial Affairs; but I certainly did not find myſelf at all unequal to ſo ſimple a Taſk as that of making a Statement of the Cuſtoms of Benares.

Q. With what Merchant did you adviſe upon that Occaſion, or Mr. Haſtings, to your Knowledge?

A. With Gopaul Doſhaw, Aretram Tewarry, who was Agent for the Houſe of Oorjanje Nautjee at Bombay; Caſſimeery Mull, and I believe others.

Q. Whether thoſe Perſons were Merchants, and Bankers, and Money Dealers?

A. I believe that they were both Merchants and Bankers.

Q. Have you their Report; did they make any Report, and what, and where is it?

A. I ſent down to the Council at Calcutta a very long and regular Account, comparatively between the Duties that had been collected by Cheit Sing, and thoſe propoſed to be levied, and afterwards carried into Execution. I enquired of Mr. Hudſon, where that was, and he informed me it was not come home.

Q. Did thoſe Merchants and Bankers adviſe the Regulations that were made?

A. I believe they approved moſt highly of it afterwards; but if the Queſtion means, that the Firſt Propoſition of the Alterations came from them, it did not to my Knowledge.

Q. Whom did it come from?

A. I believe, but I do not ſpeak to a Certainty, from the Order of the Governor General and Council to Mr. Fowke. I have already ſtated, that I don't ſpeak this as a Certainty.

Q. But you do not know, that any of thoſe Propoſitions originated from the Merchants and Bankers you ſpeak of?

A. I ſaid ſo before.

Q. Whether you do not know the Sunnuſees, are generally reputed the moſt honeſt and wealthy Merchants in that Part of the World?

A. I do not particularly.

Q. Did you not hear that the Five per Cent. Duties upon the enhanced Value of the Book of Rates, had exhauſted all the Profits of thoſe Merchants, ſo as to oblige them to give up the Trade?

Queſtion objected to.

Q. Do you know any Thing of it? Do you know of any Body giving up his Trade, and can refer it to that particular Fact?

A. I will read the Statement in my Letter, and, as well as I can recollect at this Time, the Duties were not levied, until, upon thoſe Articles which were conſidered as objectionable at 5 ℔ Cent. the Duty was lowered to 2½—that is, that the Knowledge of the intended Duties was promulgated in the Country before there was an Attempt to levy them, and on the Account that the Aſſeets were apprehenſive of 5 ℔ Cent. upon certain valuable Articles, I wrote to the Board, ſtating my Apprehenſion that it would be too much, and I had the Orders of the Board to redreſs them—

Then the printed Minutes were ſhewn to the Witneſs, and he read as follows:

Honourable Sir and Sirs, " Benares, the 20th March 1782.

" I do myſelf the Honour of tranſmitting you, according to the Orders of the Honourable Governor General when at Benares, Account Particulars of the Cuſtoms as deſigned to be levied, and of the Duty as levied by Rajah Cheit Sing.

" You will perceive that, to preſerve Uniformity and to point out whatever Difference there may be between the preſent Duty and that propoſed to be levied in a more ſtriking Manner, I have rated the Three laſt Columns on a Tungay, or Six Maunds, the Load which a Bullock is ſuppoſed to carry; as the former Method of collecting the Duty was on the Weight, not on the Value of the Goods.

" I ſhall truſt to the Candour of your Honourable Board for my Excuſe in pointing out ſome Articles on which a Duty of 5 per Cent. will be too heavy, and by which the Collection would be required, viz. Mace, Cloves, Nutmegs, Cinnamon, and Silk.

" The people who principally trade in theſe Articles are the Maratta Merchants, and a religious Sect called Ahteets, who generally land their Goods at Mirzapore, and from thence carry them

them by Land, and Bullocks into the Decan, or to Delhy; and they will find it more profitable to unload their Boats at Patna, and carry their Goods through Ramgur, than to pay ſo heavy a Cuſtom as 5 per Cent. will amount to in the Road from Patna to Mirzapore.

"I know for certain, that on the Rumour being ſpread, in December laſt, that 5 per Cent. was to be levied on every Article, by the Directions of the Honourable the Governor General, that the principal Houſes in the Decan immediately ordered their Gomaſtahs to ſtop all their Boats at Patna, and to ſend their Goods by the Rout above mentioned, if the Duty of 5 per Cent. was continued." (*a*)

Then the Witneſs ſaid,

—There is another Letter of mine, I believe, to the Board, ſaying, that I had received their Orders, and that I had directed, on that Day, that thoſe Duties ſhould commence, and had made Proclamation of it through the Country:

Then a Book was ſhewn to the Witneſs, and he read as follows:

"Benares, 26th April 1782.

"To the Honble. Warren Haſtings Eſquire, Governor General, &c. Supreme Council Fort William.

"Honble. Sir and Sirs,

"I have the Honour to acknowledge the Receipt of your Letter, dated the 8th Inſtant, and have, in Conſequence, notified to the Naib Dubetzy Sing, your Directions reſpecting the Eſtabliſhment of the Cuſtoms, pointing out to him the particular Articles of Merchandize, on which the Duty of 2½ per Cent. only, is to be levied. I have likewiſe informed the principal Merchants of Benares, by a circular Perwannah, of your Order on this Head.—I have alſo publiſhed the Mode for the Collection, and the Rate of Duties, by the public Cryer. (*b*)

"I have the Honour, &c."

Q. What Duties were paid, in the Interval between the Abolition of Cheit Sing's Duties, and the new Book of Rates inſtituted on the 26th of April?

A. The Duties as collected by Rajah Cheit Sing.

Q. Are you ſure that Five per Cent. was not alſo collected?

A. Does the Queſtion mean beſides the Old Duties?

Q. When were the New Duties firſt ſet on foot?

A. I believe, as well as I can recollect at this Diſtance of Time, that the new Duties were laid on in April 1782.

Q. Did they begin to be collected at the very Time they were laid on?

A. They did, and the old ones ceaſed; I may have miſtaken a Week or Two.

Q. You have ſaid, the Rate of Duties was promulgated in the Country before they were actually collected?

A. They were—that was before 1782.

Q. Then were any of the new Duties collected before April 1782?

A. There were not any of the new Duties collected before April 1782.

Q. From the Time of making the Regulation to the Reduction to 2½ ℘ Cent. were any Duties collected at all on the new Rates?

A. The whole Duties, as collected by Cheit Sing, continued to be levied till the Impoſition of the new Duties in April 1782, Two and a Half ℘ Cent. being taken off certain Articles.

Q. Was the 5 ℘ Cent. ever collected?

A. I believe that 5 ℘ Cent. never was collected upon the Spices, and the other Articles that were reduced to 2½.

Q. Are you ſure they never were collected or demanded?

A. I beg it to be underſtood, that the Collection of the Duties was not in my Province.

Q. Whether or no, both the old Duties, and the new did not take Place and were collected together at the ſame Time for any Period?

A. I do not know they ever were.

Q. Whether the old Duties, with the 2 ℘ Cent. were not collected at the ſame Time?

A. I ſhould rather imagine by the Queſtion, that the Honble. Manager has miſtaken one Thing, which I wiſh to inform him of, namely, that the Aumeen of Benares had always collected 2½ ℘ Cent. upon the Amount of the Duties levied, and which was Part of the old Duties; perhaps the Queſtion alludes to that.

(*a*) Vide ſupra, Page 297.

(*b*) This Letter is entered in Book 557, P. 24.

Q. Whether

Q. Whether, through the whole Country, and at Gauzepore, the old and the new Duties were not collected at the ſame Time?

A. I believe not.

Q. Whether, or no, before the Reduction, the Amount that was to be paid under one Name or other, was not Five Times what they had paid before the Eſtabliſhment of the Cuſtom-houſe in 1781, upon all the Articles which uſed to be charged before by the Bullock Load, and now charged *ad valorem?*

A. I ſhould ſuppoſe not; I rather imagine that the new Duties were an Eaſe to the Trader than otherwiſe.

Q. Why the Five per Cent. *ad valorem* was laid on, which was obliged to be immediately reduced, as you ſay, before it could be collected,—upon what Ground was it laid on?

A. There are very many Things that one thinks of in the Cloſet that one does not carry into Execution, and ſo I imagine this Five per Cent. was in that Predicament, as I believe it never was levied upon thoſe Articles, but was merely a Propoſition, which, upon the Reviſal of it, was found to be exceſſive.

Q. Whether, or no, it was not publicly promulgated, and given in Charge to the Superintendants of the Cuſtoms?

A. As a Thing that was to be, it was.

Then, a Book was ſhewn to the Witneſs by the Managers for the Commons, and he was deſired to read a Paſſage in the ſame, and to inform the Houſe whether it was not ſubſtantially the ſame as the Manifeſto which the Witneſs had ſpoken of. (*a*)

The Counſel for the Defendant objected.

The Witneſs was directed, firſt to inform the Houſe, whether the Paſſage was the ſame as the one that was ſhewn to him on a former Day, and which he then ſaid was a Forgery; and then to inform the Houſe, whether the Contents were ſubſtantially the ſame as the Manifeſto he had ſpoken of?

The Managers for the Commons informed the Houſe, That they did not at preſent offer it as an authentic Paper, but as a Paper which the Witneſs had ſeen in India.

The Witneſs ſaid,

From every Word I read here, I am more and more convinced it is a Forgery.

Q. (*by the Managers*) Whether you have not ſeen a Paper, in the Perſian Language, ſubſtantially to the ſame Purport as this? Did any ſuch Paper come to your Hands?

A. The Paper which I ſaw, was not mutilated, which this is.

Q. In other Reſpects, was it like it?

A. In other Reſpects, it was like it.

Q. Do you declare poſitively, that Cheit Sing could not intend to do Mr. Haſtings Honour by the Train he had with him: Do you know any Thing of it?

A. I believe I have ſtated before, in my Evidence, that he did meet him with a large Force.

Q. Whether you can poſitively ſay, that that was not doing him Honour?

A. I conſidered it as a high Mark of Diſreſpect.

Q. Whether the tendering him the cuſtomary Preſents was a Mark of Diſreſpect?

A. I do not know that there was any Preſent tendered to him.

Then, the Managers for the Commons read the following Paſſage:

'Q. On his Arrival at Buxar, which was the Verge of my Country, I met him with all my principal People, in order to do him Honour, and tendered him the cuſtomary Nezers;'

And aſked the Witneſs,

Whether, upon the Suppoſition of that happening, it would have been doing Mr. Haſtings Honour?

A. I ſhould ſuppoſe, that that very Queſtion would prove the Forgery of the Paper.

Q. Whether the tendering the Nezers would have been a Mark of Reſpect, if tendered in the cuſtomary Manner?

A. Certainly, a Mark of Reſpect.

(*a*) Vide ſupra, Page 1722.

The Managers for the Commons, proceeding to examine the Witneſs to other Paſſages from the Paper, were informed, that if they contended that the Paper in Queſtion could be made Evidence, they muſt take the Senſe of the Houſe upon it.

The Managers for the Commons were heard in Support of the Admiſſibility of the Paper, and concluded by deſiring to know, whether the Circulation of a Paper not authenticated, but known to be in Circulation, was a Fact which they co[uld] be admitted to lay before the Court.

The Managers for the Commons were informed, That the Fact of the Circulation of ſuch a Paper could not be admitted, it not appearing to what Part of the Charge ſuch a Fact could apply.

The Managers for the Commons informed the Houſe, That then they would preſs the Matter no further.

Q. (*By Managers.*) Whether you think it is a Proof of a Forgery of any Paper, that the Perſon who circulates it declares himſelf of Opinion, his own Acts are not criminal but meritorious.—If a Perſon circulates a Paper, juſtifying himſelf in his own Opinion, would you take that to Evidence of its being a Forgery?

A. I do not apprehend the Queſtion at all applies to this Paper, becauſe I do not ſuppo[ſe] that Cheit Sing ever ſaw the Paper.

Q. Whether you allege that, as one of the Grounds for your Opinion of the Forgery of this Paper—Do you call that a Proof of Forgery?

A. What I anſwered to, was Cheit Sings being ſuppoſed to ſay, that he came with a large Force as a Compliment to Mr. Haſtings. I believe every Man who was ever in that Country muſt know, that an Inferior comes without any Parade, ought to come without any Parade, to his Superior. Therefore when it is ſaid, that acting contrary to the Uſages of the Country in which he lives, and in ſo acting, acting diſreſpectfully—when that is attempted to be converted into a Mark of Reſpect, I ſay it does prove, it was not the Writing of a Man in that Country.

Q. The Queſtion is not whether it is true or not, or whether it was or was not a Forgery; but whether or no a Man's making the weakeſt Excuſes for his Conduct in the World, is a Proof of Forgery?

The Managers for the Commons were informed, That the Witneſs had not ſtated, that he thought alleging Juſtifications could be a Proof of Forgery, but that the Paper had alleged Reaſons of Juſtification ſo foreign to the Cuſtom of the Country, that it was impoſſible a Man acquainted with the Cuſtoms of the Country, could ſo have defended himſelf.

The Witneſs ſaid, "That is what I meant."

Q. (*by a Lord*) On a former Day, ſpeaking of the Monthly Payments from Cheit Sing to the Company, you ſaid that in the Months in which it was to be in Specie, Complaints were made, but not for the Months when it was to be in Bills.—Are you rightly underſtood?

A. I am.

Q. Then, what do you mean by the Words, "was to be," whether "was to be by the Sunnuds and Pottah," or by what other Agreement?

A. I believe it will be found in the Pottah and Cabooleat of Cheit Sing, that the Stipulation of Government was, that they might either take the Monthly Salary, in Specie, at Benares, or that when they did not want it at Benares, Cheit Sing was allowed to give Bills upon Calcutta, at 51 Days Date.

Q. On a former Day you told the Houſe, the Anſwer that the Chubdar had made to Rajah Cheit Sing. You ſaid that the Chubdar, joining his Hands, ſaid, "You are Rajah Cheit Sing. I am only Cheit Ram." Whether, according to the Cuſtom of that Country, the Chubdar's joining his Hands was a Sign of Defiance, or of Reſpect towards Cheit Sing?

A. It was no Doubt a Mark of Reſpect to Cheit Sing, and as an Inferior in that Situation ought to ſpeak to his Superior in that Country.

Q. You ſtated that an Order was ſent to Lieutenant Burrell by Colonel Popham, at all Events to make his Way good into the Place;—namely, into the Place where Cheit Sing was then under Arreſt;—and you alſo ſaid, That either Mr. Haſtings, or yourſelf in the Preſence of Mr. Haſtings, ordered the Chubdar to go to Rajah Cheit Sing, and to ſay, that if any Blood was ſpilt, he, Cheit Sing, was to anſwer for it. This Man, the Chubdar, and the Man carrying the Letter to Lieutenant Burrell, went together. Now, whether you know of your own Knowledge, whether that Order from Colonel Popham to Lieutenant Burrell, was ſent by Mr. Haſtings's Direction, with his Knowledge, at the Time, and with his Concurrence, or without?

A. I cannot poſitively anſwer; but I ſhould rather imagine it was with Mr. Haſtings's Knowledge.

Q. (*By Managers*) With regard to that Behaviour of the Chubdar joining his Hands in the Manner you described, how do you know he did so?

A. It was related to me by some of the Persons who were within the Jaillie or Cutwally; but who that Person was, I do not precisely know.

Q. Whether you are sure that the Word "only" was in the Account that was given to you—[illegible]ly, "You are Rajah Cheit Sing—I am only Cheit Ram?"

[illegible] I will not undertake positively to say, whether that Word was there or not.

[illegible] (*by Counsel*) Whether you believe the Account contained in the Letter read this Morning by [illegible] to be true?—whether you have any Reason which has occured since, to disbelieve that [illegible]tter?

A. The Honble. Manager divided that Letter very properly—into Things that were before my positive Knowledge, and Things stated as of my Knowledge: I have no Reason to doubt that the latter are true.

Q. Is there any particular Part of it which you wish to correct, of the Matter antecedent?

A. I believe there are some Things, but they are of no great Consequence, as they are merely [illegible]atter of History.

[illegible] You was asked, if you had received Intelligence of Cheit Sing's Correspondence with Nud[illegible]awn and the Mahrattas; and you said, from Mr. Graham. Whether Mr. Graham, at the [illegible]e, was Resident at Benares?

A. He was.

Q. On a former Day you produced a Paper containing Memoranda for your Conduct at [illegible]enares, whether at the Time of giving you those Memoranda, or at any other Time, it was, that the General Directions for your Conduct to Cheit Sing were given you by Mr. Hastings; and particularly to endeavour to bring back the Rajah to a Sense of his Duty?

A. I do not know; I do not recollect whether it was particularly at that Time.

Q. (*by a Lord*) Were those your Directions?

A. At that Time, when the Memoranda were written, that Mr. Hastings gave me those friendly Admonitions respecting Cheit Sing? I should suppose it must have been in various Conversations.

Q. (*by Counsel.*) Did he, in fact, give you such Directions?

A. In my former Evidence I said so.

Q. You was asked, with respect to the Comparison between the Rajah's Expences and his Income, whether the Military Establishment kept up by the Rajah, was in consequence of any Orders for that Purpose from the Board, or his own voluntary Act?

A. It certainly was his own voluntary Act.

Q. Have you made any Calculations of the Savings of the Rajah, allowing for the Expence of that Military Establishment?

A. Upon a Question proposed to me by the Honble. Manager, I have been since induced to make a Calculation: I calculated it upon the last Five Years before the Expulsion of Cheit Sing.

Q. What is that Calculation?

A. I was asked upon a former Day, if I knew how much a Man and Horse cost a Month; I said I did not know, but was desired to mention some Sum nearly to what I imagined it would be; and I said 25 Rupees; I have enquired since, and I have heard that the Rajah would not pay more than 20 Rupees for his Horse. I calculated therefore 2,500 Horse at 25 Rupees a Month, would be annually Six Lacks: that 4,500 Foot at Four Rupees a Month would be 2,16,000 Rupees: For the Sake of an even Sum, I put the Officers at 34,000 Rupees, which, added together, will be 8,50,000 Rupees a Year; therefore, upon a Five Years Calculation, his Mulguzzarry would be One Crore 27 Lacks, and the Exchange 8,19,000. The War Subsidy for Three of those Years would be 15 Lacks; the Present of Two Lacks, with the Exchange upon it, would be 2,14,000 Rupees, the Military Expences for Five Years would be 42,50,000, which in the Amount of the Five Years will be 1,84,83,000 Rupees; the Gross Revenue of his Country would be 2,65,00,000, and deducting the 1,84,83,000 from that, the Profit in Five Years would be 80,17,000: I only state this as an Hypothesis in the Way it was put to me.

Q. What was the probable Amount of the Rajah's ordinary Expences, not contained in that Calculation, per Annum?

A. I should suppose One Lack and a Half of Rupees would be sufficient per Annum.

Q. In your Examination the other Day, you said that you calculated Cheit Sing to have saved, prior to the Imposition of Five Lacks annually, 11 Lacks; was that Calculation made in India, in consequence of an Inquiry ordered by you there?

A. Before asking me this Question, one was put, which I said I could not answer, which was, the

the Calculation of his Expences, as well as I recollect, but I meant to ſay, that 11 Lack was the Reſult of that Kind of Inquiry which I made; and I recollect, that that was my Opinion in India.

Q. In your Croſs-examination you ſaid, you believed Chiet Sing would have been able to pay that Fine ſpoken of by Mr. Haſtings, if it had been impoſed, leaving himſelf in Poſſeſſion of a conſiderable Treaſure?

A. Yes.

Q. Whether he could have paid that Sum without recurring to his landed Property at [illegible] of his perſonal Wealth?

A. I ſhould ſuppoſe he could.

Q. Whether, in the Communications you had with Mr. Haſtings at Benares, after he c[illegible] up the Country, you collected from him, that the Amount of the intended Fine was abſolutely fixed, or variable?

A. I could only collect that it was not abſolutely determined, from the Expreſſion Mr. Haſtings made uſe of, when he mentioned to me, that he intended to take 50 Lacks: On my expreſſing ſome little Surprize at the Largeneſs of the Sum, and that he might not be correctly informed, what were the Revenues of the Country, he ſaid, we will then talk that Matter over at Benares; and ſo in his ſubſequent Inſtructions to me, which were never delivered by me to Cheit Sing, in which ordered the Mutſuddies to attend him.

Q. From all that, did you collect his Intention to be fixed, as to the Amount, to that Moment?

A. Mr. Haſtings never expreſſed or ſaid to me that he was not fixed, but as I ſtated before in my Evidence, I thought it poſſible at that Time that Mr. Haſtings might have varied perhaps from his original Intentions: but I do not think in my own Mind that he would have been right in ſo doing.

Q. Was there any Plan formed to diſpoſſeſs the Rajah of his Zemindary, prior to his Rebellion?

A. I believe not.

Q. Do you believe he would have been diſpoſſeſſed, if he had not rebelled?

A. I believe not.

Q. After he had rebelled, could he have been received back, conſiſtently with the Honour and Intereſt of the Eaſt India Company?

A. In my own Opinion not.

Q. Was there any Notification to Cheit Sing, of any Puniſhment whatſoever intended to be inflicted upon him, beyond his being put under Arreſt?

Q. There was not.

The Managers for the Commons objected to the Evidence.

Q. You ſaid in Anſwer to a Queſtion put to you, that you received Intimation from Doorgbijey Sing, that Sadanund had ſent a Note to collect the Military at Shewallah, whether Doorgbijey Sing was at Shewallah at the Time?

A. I underſtood Doorgbijey Sing had been at Shewallah that Morning, but whether he was there at the Time of the Maſſacre, or gone before, I do not know.

Q. You ſaid, that according to the Accounts you received, the firing from without at Shewallah began at the ſame Time as the Meſſage was delivered by the Chubdar, and you likewiſe ſaid, that what paſſed between the Chubdar and the Rajah was not viſible to the Soldiers without; can you account for, why thoſe Two Circumſtances ſhould happen at the ſame Time?

A. I have already accounted for it, by the Note and the Meſſage being ſent at the ſame Time.

Q. You ſaid, that the Rajah propoſed to give 500 Burkendaſſes, but you told him thoſe would be uſeleſs to you; whether thoſe 500 Burkendaſſes could have ſufficed to have collected the Revenues of the Country for the Rajah?

A. I ſuppoſe they might.

Q. You was aſked, reſpecting your Interference in the Police of the Country of Benaris, what Reaſons had you for that Interference?

A. I believe I mentioned that I conſidered it my Duty ſo to do, both as Reſident, and as a Man. Beſides, that was One of the Stipulations in the Pottah to the Rajah, that the Police of his Country ſhould be attended to, and if he did neglect that, I think, as Reſident, I ought to have interfered in the Company's Affairs.

Q. Whether, during the Rebellion of Cheit Sing, any Intelligence was given to Mr. Haſtings of Cheit Sing being aſſiſted by any other Power in that Rebellion?

A. I underſtood that the Begums ſent an armed Force to his Aſſiſtance, called Nudjeebs.

Was

Q. Was that Intelligence given to Mr. Haſtings at the Time?
A. I have no Doubt of it, becauſe it was the common Converſation of us all.

Q. You ſpoke of Doorgbijey Sing having intended and attempted to expel a Claſs of People called the Coſſicks, what Number of Perſons did they conſiſt of?
A. I underſtood them to be 10,000 or 11,000 Souls.

Q. You ſtated that you was confidentially acquainted with Mr. Haſtings's Sentiments towards Cheit Sing before he went up to Benares, and at Benares; whether you ever diſcovered any the leaſt Symptoms of a Diſpoſition towards Cheit Sing on the Part of Mr. Haſtings unfriendly or malicious, from any private Motive whatever, operating upon the Mind of Mr. Haſtings towards him throughout?
A. I do not think it poſſible, from what I have known of Mr. Haſtings, that he was capable of any Thing malicious, or of any Thing ſelf-intereſted. I have known him in public and in private Life; I found him always moſt zealous wherever the Public was concerned; perfectly careleſs of his own Intereſts; I believe him to be the moſt virtuous Man of the Age he lives in.

Q. You was aſked about the Treaſure found at Bidjeyghur, the Fort of Cheit Sing, whether that Place was not the Place where Cheit Sing uſed to keep his Treaſure?
A. I believe he kept his principal Treaſure at Bidjeygur.

Q. (*by the Managers*) Do you know any Thing of your own Knowledge, of the perſonal and civil Expences of Cheit Sing?
A. I ſhould imagine from what I did hear of them, that the Amount I ſtated is not very diſtant from the Fact.

Q. Anſwer directly to the Queſtion—What Knowledge have you of the actual Expenditure of Cheit Sing?
A. I can only judge from the Manner of his living—from what I underſtood was the Manner of his living?

Q. Whether you have ever ſeen any Account of Cheit Sing's Expences, perſonal or civil?
A. I have not; if I had, I ſhould have anſwered the Queſtion directly.

Q. Whether, or no, Cheit Sing had not a prodigious Number of Women and Children, both of his own and of the Family to maintain?
A. I do not know, that excepting the Four Women who came to Benares, and the Widow of Bulwant Sing, he had any to maintain;—their Servants of Courſe.

Q. Whether you have not heard, that he had 300 Women and Children to maintain—The Queſtion does not mean of his own?
A. No; I never heard it.

Q. Never heard it at all?
A. Never heard it at all.

Q. Did you never hear what Number of Women and Children came out of the Fort of Bidjeygur?
A. I believe I have already ſtated, in this Day's Evidence, that I do not know.

Q. Whether, or no, a Gentoo Prince, of great Rank, has not conſiderable Expences to pay in his religious Ceremonies?
A. I do not know of any very particular Ceremonies that coſt immenſe Sums. I believe the Hooly is the principal religious Ceremony. I have been preſent one of the Days of that Holiday; and I did not ſee any Thing that ſhould lead me to ſuppoſe it was very expenſive.

Q. Whether they do not give great Gifts to the Bramins, and great Charities?
A. That never came to my Knowledge.

Q. The Queſtion is, as to the Cuſtom of the Country?
A. I believe, certainly, that they do keep Bramins; and that Money is often extorted even from them by the Bramins; but not to be mentioned as a large Sum of Money, among thoſe we have ſtated.

Q. Whether he did not make conſiderable Buildings, and lay out expenſive Gardens?
A. He did.

Q. Whether the Number of Forts he kept up, did not require ſome conſiderable Expence in maintaining them?
A. I ſhould think, very little. I wiſh to ſtate, that there was a conſiderable Quantity of Grain in Bidjeyghur at that Time; but I do not know that it was always there,—that it had been always kept there.

Q. Whether you know any Thing at all of the Expence of maintaining the Horſe of Cheit Sing, of your own Knowledge?

A. I do not; I was only led to ſtate it from the Hypotheſis which the Honourable Manager himſelf put to me.

Q. Who told you, that the Rajah Cheit Sing had his Horſe at 20 Rupees a Month, and his Foot at Four?

A. I talked to Mr. Baber and Mr. Benn generally upon the Subject of Horſe; and the F[illegible] of our Opinion was, that 20 Rupees would probably be as much as he would give. I co[illegible] it only as Hypotheſis.

The Managers for the Commons deſired, that a former Anſwer of the Witneſs upon this Subject might be read.

The Clerk accordingly read as follows:

I was aſked upon a former Day, if I knew how much a Man and Horſe coſt a Month. I ſaid I did not know; but was deſired to mention ſome Sum nearly to what I imagined it would be, and I ſaid 25 Rupees. I have enquired ſince, and I have heard that the Rajah would not pay more than 20 Rupees for his Horſe."

Then the Witneſs was aſked,

Q. Are Mr. Baber and Mr. Benn Officers of Cavalry?

A. They are not; but as the Queſtion had been propoſed to myſelf, who never had been in the Army, they were ſurely as likely to know as myſelf; they were Civil Servants.

Q. Were they Commiſſioners for the Supply of Proviſions for the Cavalry of Cheit Sing?

A. No.

Q. Whether you know any Thing of the Time of the firing, correſponding with the Time of the Chubdar giving his Meſſage to Cheit Sing?

A. I was a Mile and a Half from the Place at the Time; but I have no Doubt but there will be further Evidence upon that Head.

Q. When Mr. Graham told you of the Rajah's Correſpondence, whether he ſhewed you any Letter or Document to prove it?

A. I do not know that he did.

Q. At what Time did Mr. Graham tell you this? in what Year? as nearly as you can?

A. About the Year 1779, when I was his Aſſiſtant at Benares.

The Witneſs was directed to withdraw.

The Counſel for the Defendant informed the Houſe, they would next produce a written Document, to prove that Doorgbidgey Sing, at the Time of his Death, remained indebted to the Company.

Read, from Book 448, already delivered in, the following Extract of a Conſultation of the 12th April 1785, beginning at Page 432 of the ſame Book.

Secret Dep. Tueſday.

" Fort William, 12th April 1785.

" At a Council; Preſent,

The Honble John Macpherſon, Eſquire, Governor General, Preſident;
John Stables, Eſquire,
and
The Honble. Charles Stuart.

" Read, the following Letter from the Aſſiſtant to the Reſident at Benares.

Aſſiſtant at Benares, 26 March.

" To the Honble. John Macpherſon, Eſquire, Governor General, &c. Members of the Supreme Court.

" Gentlemen,

" I have the Honour to inform you, that Babboo Durkbidzy Sing, the Father of Rajah Myhipnarain, died in Benares on the 25th inſtant.

" I have the Honour to be,
Honble. Sir, and Gentlemen,
Your moſt obedient
humble Servant,
" Jn°. Benn,
Aſſiſtant to the Reſident of Benares.

" Benares,
March 26th 1785.

" Baboo

" Baboo Durbidzy Sing being, at the Time of his Deceaſe, conſiderably indebted to the Company, the Board muſt ſuppoſe that the Reſident at Benares has taken the moſt proper and effectual Meaſures for recovering the Amount thereof; but to meet the Poſſibility of the contrary,

" Ordered, That the Secretary do require that ſuch Meaſures may be taken immediately.

(Signed at the End of the Conſultation)

" John Macpherſon,
John Stables."

The Counſel for the Defendant ſtated, That they ſhould next read a Letter from the Defendant to the Rajah Cheit Sing, on the Subject of the Police of Benares.

Read, from Book 32, the following Letter from the Governor General to Rajah Cheit Sing, dated the 17th January 1781, beginning at Page 2 of the ſame Book:

" To the ſame. Written D° (*a*)

" Great and frequent Complaints have been made to me of the diſorderly State of the City of Benares eſpecially, and of the other Diſtricts of your Dependency, from the entire Neglect of Police, and of the ordiary Means of Security: It has been repreſented to me, that Robberies and Murders are daily committed with Impunity; even your own Servants and Officers of high Truſt under you have contributed to theſe Diſorders, and have not yet been brought to Puniſhment, notwithſtanding the reputed * Repreſentations which have been made, and a peremptory Order from myſelf, to which you have even returned no Anſwer. On theſe Subjects I have given full Inſtructions to Mr. Markham to inform you what will be neceſſary for your future Guidance, and ſhall expect that you pay ſuch Attention to theſe Points, that the like Evils may no longer exiſt, nor your Reputation, nor the Reputation of the Company which is connected with it, ſuffer from their Continuance."

* Sic in Orig.

The Managers for the Commons deſired the Counſel for the Defendant would ſtate whether they had the Anſwer to this Letter.

The Counſel for the Defendant informed the Houſe, they were not aware that any Anſwer was written.

The Counſel for the Defendant ſtated, That they ſhould next read a Letter from Mr. Markham to the Defendant, dated April 1, 1782.

Read the ſame accordingly, from Book 557, already delivered in, beginning at Page 19 of the ſame Book.

" Benares, 1ſt April, 1782.

" The Honble. Warren Haſtings, Eſquire.

" Sir,

" It is with much Concern that I find myſelf obliged to inform you of the ill Behaviour of Durbetzy Sing, and its melancholy Conſequences on the Morning of Yeſterday.

" The plain Statement of the Caſe is as follows:

" A Body of armed Men, to the Amount of an Hundred and fifty or Two hundred, entered the Town of Benares, and attempted to carry off by Force the Perſon of one Buſſunt Lott, whom * Durbetzy Sing affirms, is indebted to him on Account of Revenue.

* Sic in Orig.

" The Man aſſembling his Friends oppoſed Force by Force: In the Skirmiſh, an unconcerned Spectator was ſhot through the Body, and Two of the Naibs Party were deſperately wounded.

" Immediately as the Intelligence reached me, I directed Captain Hogan to parade Two Companies of Sepoys; and in a Meſſage to the Chief Magiſtrate informed him, that a Military Force, if he judged it neceſſary, was ready to march to his Aſſiſtance.

" Durbetzy Sing, on my Requiſition, delivered up Three People who were the Leaders of his Party in this Diſturbance, and I have ſent them to Ally Ibrahim Cawn, that Juſtice may be done upon them according to Law.

" It will, however, be an hard Caſe, ſhould theſe poor Wretches ſuffer capitally for the Obedience which they paid to the Commands of the Naib; they were ignorant of the Illegality of the Service on which they were ſent. Durbetzy Sing is the Perſon criminal, on whom the whole Cenſure ought to fall, and the Puniſhment be inflicted.—His direct Procedure would have been either to have applied through me, or to the Chief Magiſtrate, for the Inforcement of the Payment of the Money due to him, or for the Delivery of the Perſon of his Debtor.

(*a*) The Addreſs and Date, by Reference back, appear to be, To Rajah Chiete Sing, written 17th Jan. 1781.

" In

" In ſuch a Caſe there is an abſolute Neceſſity for ſupporting his Claim, leſt the Collection of his Revenue ſhould be impeded; but it is equally as incumbent on me to watch, with a jealous Eye, leſt any Encroachment ſhould be made, as in the preſent Caſe, on the Authority of the Chief Magiſtrate, as the Peace and Quiet of the Town, in a great Meaſure, depend on the Reverence and Reſpect with which his Character is conſidered, and the Knowledge which the Public ought to have of his Independence from any Controul of the Rajah.

" I ſhould be wanting in Equity to Ally Ibrahim Khan, was I to be ſilent on the Mo[illegible] and Propriety of his Conduct. Since he has been veſted with his preſent Appointmen[illegible] I believe, given univerſal Satisfaction; and by how much it was more difficult for him [illegible] from Cenſure in a Town where the Inſtitution of an Adawlut was new, and its Powers hith[illegible] experienced, by ſo much he deſerves Applauſe from you and the Honble. Board, and [illegible] will be given to him, as the juſt Reward of his Merit.

" I have the Honour to be, Sir, &[illegible]

Then the Houſe adjourn[illegible]d to the Chamber of Parliament.

Die Mercurij, 6° Junij 1792.

THE Lords being in their Places, the Houſe reſumed, the uſual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor ſaid;

"Gentlemen, you who are of Counſel for the Defendant may proceed in his Defence, and the Lords will be pleaſed to give Attention."

Then Lieutenant DAVID BIRRELL was called in, and being ſworn, was examined as follows:

Q. Was you in the Zemindary of Benares in the Year 1781?
A. Yes, I was.

Q. At what Time did you enter the Zemindary?
A. Some Time about the Middle, or the End of June.

Q. Was you then ſerving with the Detachment under the Command of Major, now Colonel Popham?
A. I was.

Q. Where was you ſtationed from the End of June till the 16th of Auguſt?
A. With the Detachment under the Command of Major Popham at Mirzapore?

Q. What Diſtance is Mirzapore from the City of Benares?
A. Between Thirty and Forty Miles.

Q. Did you receive any Orders, on the 16th of Auguſt 1781, from Major Popham to march with Ammunition to the Relief of the Two Companies who were then at Shewallah?
A. A Detachment from Major Popham's Detachment was ſent from Mirzapore to the Neighbourhood of Benares early in the Month of Auguſt; I was with that Detachment, and we encamped at Murwaddy.

Q. What Diſtance is Murwaddy from Benares?
A. About a Mile and an Half.

Q. Were the Two Companies that were detached to put the Rajah under an Arreſt, compoſed of the Grenadiers of the Army?
A. They were ſolely of Grenadiers.

Q. Did you on the 16th of Auguſt———

The Managers for the Commons objected to the Queſtion.

Q. What Orders did you receive from your Commanding Officer, Major Popham, on the 16th of Auguſt in the Year 1781?
A. I was ſent by Lieutenant Hamilton, who then commanded at the Detachment at Murwaddy, with a Company of Seapoys to eſcort Ammunition to where I was told the Grenadiers were.

Q. What Force had you under your Command?
A. A Company conſiſting of from 70 to 80 Men.

Q. Did you march with that Force in conſequence of thoſe Orders?
A. I did.

Q. Taking Ammunition with you?
A. I had ſeveral Barrels of Ammunition, which I was to deliver over to the Grenadiers.

Q. What happened to you in your March to the Rajah's Reſidence?
A. About a Mile and an half, or nearly ſo, from Murwaddy, I entered a Village, at the Extremity of which I found a large armed Force.

Q. Of what Number, as far as you could aſcertain from their Appearance, did this armed Force conſiſt?

A. As far as I can judge, there were from 1,200 to 1,500 Men; they were not all cloathed alike, or in regular Order, ſo that I cannot judge nearer than that Number—but among this Body were a great many Seapoys—People habited and clad like our own Men.

Q. Was this Force drawn up apparently to oppoſe your Progreſs?

A. I underſtood it perfectly ſo.

Q. What did you do upon this?

A. I wrote a Note, and diſpatched it, by a Man who accompanied me on Horſeback, to Major Popham, informing him of the Appearance, and requeſting his Orders how I was to act; that in the mean Time I would have the Company ready whatever they might be, whether to force the Place with Force or not.

Q. What Diſtance was this from Shewallah Ghaut, where the Rajah then was, from where you halted?

A. I afterwards, by knowing the Diſtance, judged it to be about Two or Three hundred Yards.

Q. What Orders did you receive from Major Popham, in conſequence of your Application to him?

A. To force my Way in.

Q. Did you upon this, attempt to force your Way in?

A. I did.

Q. What happened upon your attempting to advance?

A. On receiving Major Popham's Order to advance, I ſelected ſome of the ſteadieſt Men about my own Perſon, and advanced at their Head; knowing the defenceleſs State of the Grenadiers, I was unwilling to precipitate Matters, dreading the Conſequences that might have happened to them. The Village was very narrow. The Road did not admit of any tolerable Front being preſented to theſe People; I was therefore obliged to march them on in nearly the ſame Order that I had come down with them. Upon getting beyond the Extremity of the Village, a Body of Men that were poſted to the Left of me, fired. They killed and diſabled almoſt the whole Party that was clear of the Village, myſelf excepted.

Q. At this Moment, had the Company under your Command fired upon thoſe Men, before they fired upon your Forces?

A. There was not a Muſket taken from a Shoulder of my Men until they received the Fire of the Rajah's People.

Q. Did they then fire upon you and your Party, immediately upon your attempting to advance?

A. After I had advanced a few Paces I received their Fire.

Q. Were the Perſons who thus fired upon you and your Party, the Populace and the Mob of Benares, or the regular armed Forces of Cheit Sing?

A. I have already ſaid, that Part of thoſe upon the Left were clothed like our own Men: The Reſt were armed in the regular Way of the Country. I don't conceive an Inhabitant of Benares was there.

Q. Was you at this Time ſo near Shewallah, that you muſt have heard any firing if it had happened there?

A. I muſt have heard the firing, had there been any within the Encloſure.

Q. Had any firing taken place within the Encloſure, before you was yourſelf fired upon?

A. None.

Q. On receiving the firſt Fire from the Enemy, what afterwards happened to the Men under your Command, or what became of them?

A. Upon receiving the Fire, which killed ſeveral of thoſe in Front, the others fell back. I then took Poſſeſſion of ſome Huts to the Right and Left of the Road, which were without Roofs, the Walls of which afforded a Parapet to the Men, a Breaſt Work. From theſe two Places I kept up a conſtant Fire upon the Party who oppoſed me, upon the Body of Men to the Left; and at laſt cleared the Place of them.

Q. Did you then march on to the Palace?

A. I did.

Q. What did you diſcover when you arrived there?

A. A moſt dreadful Scene of Carnage; the Gateway which led into Shewallah, into the Palace, crowded with dead and dying Sepoys; the Body of my intimate Friend Mr. Symes lying very near them, mangled in a moſt ſhocking Manner. I then went forward, between the Garden Wall

Wall and the Place of Worſhip, to the inner Court; there I diſcovered more of the Sepoys lying in the ſame Condition, and the Bodies of the other Two Officers, Lieutenants Stalker and Scott, which bore Marks of the moſt ſavage Violence—In about an Hour, Major Popham arrived with the Remainder of the Detachment from Murwaddy.

Q. Did you, after this, continue with Mr. Haſtings at Benares, till he left it on the 21ſt of Au-
uſt?
A. I did.

Q. re there any Reports brought to you occaſionally, during that Day, of an intended At-
Rajah's People upon the Quarters where you then were?
A. ear of ſuch Report.

Q. ou in conſequence retreat in the Evening of that Day to Chunar?
A. lid.

Q. What was your Employment during the Time of this Retreat?
A. I was entruſted with the Charge of the Rear Guard.

Q. Was it a Flight, or a Retreat regularly conducted?
A. The Rear, where I was, went off in regular Order, and continued ſo.

Q. In a Letter, ſigned Thomas Blair, and addreſſed to the Governor General, dated the 4th of September 1781, which is in the printed Evidence, Page 201, there is this Paſſage,—'The Grenadiers were led on by Lieutenants Falling, Birrell, and Murray—I muſt beg Leave to mention them in the warmeſt Manner, for their gallant, ſteady Conduct.'—And in Page 202 this Paſſage,—'I take the Liberty to mention Lieutenant Birrell's Conduct during the Whole of the Action, as deſerving the higheſt Praiſe from me.'—Whether you are the Lieutenant Birrell ſpoken of in this Letter?

A. I am the Perſon that Captain Blair does the Honour to mention.

Q. You being preſent on the 23d of September 1781 at Pateeta, what was the Situation of the Enemy upon that Day?

A. They were drawn out to a conſiderable Extent.

Q. Were they encamped near the Town or Fort of Pateeta?
A. They were encamped within a little Diſtance of Pateeta.

Q. Can you ſtate what their whole Number appeared to be?
A. I judged there were between Four and Five thouſand Infantry, and a Body of Cavalry appeared upon one of their Flanks of ſeveral Hundreds.

Q. Did this Cavalry occaſionally threaten to charge the Britiſh Line?
A. We were in that Situation from the Darkneſs of the Morning, at leaſt I did not perceive any direct Attempt to charge; but they were ſo near, I expected it every Minute.

Q. How many Pieces of Ordnance had they?
A. We took Four—Two I believe got away.

Q. Did you, heading the Grenadiers, ſtorm their Guns?
A. I did.

Q. Were there many of the Engliſh Forces killed and wounded by the Troops of Cheit Sing on this Occaſion?
A. There were about 100 killed and wounded, and nearly an equal Number of each.

Q. Was you afterwards at the Attack upon the Fort and Town of Pateeta?
A. I was.

Q. Which took place on the 20th of September 1781?
A. I was.

Q. How long were you encamped before Pateeta?
A. Between Three and Four Days before the Place was taken.

Q. Were there any Priſoners made during this Time, belonging to the Enemy?
A. I recollect Two People being brought in by ſome of our Picquets an Evening or Two before the Place was ſtormed.

Q. In what Uniform were thoſe Men dreſſed?
A. They were dreſſed in a long blue Gown, a Dreſs peculiar to the Country; armed in a Stile ſomewhat different from the common Country Soldiers, with the Matchlocks and Tulwahs.

Q. Were they dreſſed in the Uniform of the Nudjeebs?
A. They themſelves, on being queſtioned, ſaid they were Nudjeebs. I have ſince underſtood, that was the uſual Dreſs of the Nudjeebs.

Q. What

Q. What Account did theſe Men give of themſelves, at the Moment when they were taken in Arms againſt us?

A. They ſaid, they were Part of a Body of 500, who had been ſent down by the Begums from Fyzabad to aſſiſt the Rajah.

Q. Was you afterwards with Major Popham before Bidjeygur?

A. I was.

Q. How long did the Siege of that Place laſt?

A. Upwards of a Month.

Q. During this Time, were our Men occaſionally fired upon, and occaſionally kill[ed]

A. They were, there was a conſtant Fire kept up from the Fort.

Q. Did you continue in Benares after Peace was reſtored?

A. I was ſeveral Years belonging to the Station of Chunar, in the Zemindary of Ber[enares] Matters were ſettled.

Q. Were the Inhabitants generally ſatisfied or diſſatisfied with the general Changes that had taken place?

A. I believe they were very well ſatisfied, as far as I had any Opportunity of knowing.

Q. While you continued in India, had Information arrived there of Mr. Haſt[ings] in this Country for his Conduct in India?

A. It had.

Q. Before and ſince that Time, in what Eſtimation was Mr. Haſtings held by the Natives of that Country?

A. Mr. Haſtings among the Natives of that Country arrived at a Degree of Attachment which, I believe, no European had ever done before him.

Q. Was he a Man, among the Natives of India, generally loved or hated?

A. I have ever underſtood they looked up to him in Terms of Reſpect and Love.

Croſs-examined.

Q. Whether you kept any of thoſe Perſons whom you took in the blue Uniform, to depoſe to the Fact of their being employed by the Begums?

A. I never ſaid I took the People.

Q. By whom were they taken?

A. By ſome of the Sepoys.

Q. By whom were you told that they were diſpatched by the Begums?

A. I heard them ſay ſo.

Then the above Queſtion and Anſwer were read—

‘ Q. By whom were they taken?

‘ A. By ſome of the Sepoys.”

Q. Who were the indentical Perſons that told you ſo?

A. Does the Queſtion mean their Names?

Q. Yes?

A. I know nothing of them: They were Two Priſoners brought in under ſuch a Deſcription.

Q. Where were they examined?

A. It was in the Battery, in the Battery before Pateeta.

Q. What became of them?

A. I do not know.

Q. Were their Accounts taken down in Writing?

A. We had other Things to do: They were not taken down in Writing.

Q. Did the Priſoners continue in your Hands, or were they releaſed?

A. I have already ſaid, I did not know what became of them.

Q. Did you inform Mr. Haſtings of this Report of the Priſoners?

A. No; it was no Part of my Duty I conceive.

Q. Did you inform your Commanding Officer?

A. I was not alone; there were ſeveral Officers preſent who commanded; I heard it as an Individual.

Q. If it was in the Battery, and you was ſo engaged as to make no further Enquiry, how came you to enquire after thoſe who ſent them?

A. The Queſtion was put by the Officer commanding, as a very natural one, I think.

Q. During

Q. During the Time when the Battery was firing, was it?
A. There was no firing at that Moment.

Q. Do you know whether any of thoſe ſuppoſed Nudjeebs ever had been kept Priſoners, after the Engagement?
A. I have already anſwered, I do not know what became of them—I do not know.

Q. Can you fix the exact Time when you was attacked, upon your March from Murwaddy to Shewallah Ghaut?
A. It was about Two o'Clock—I cannot ſpeak poſitively.

Q. When you came into Shewallah Ghaut did you find the Rajah there?

Q. [illegible] of his Troops?
A. [illegible]y of his Troops, in the Place.

Q. [illegible]ervants?
A. [illegible]or Servants.

Q. What Sort of Wounds did you obſerve upon the Company's Sepoys who were killed in the two Courts?
A. I did not examine them particularly; but there were ſeveral Wounds, I ſaw, that had been done with a Tulwar—with a country Sword.

Q. Then, the Wounds appeared to have been made by ſharp Arms?
A. I did not examine them particularly; I ſaw ſeveral of them wounded in that Manner.

Q. Whether you can undertake to ſwear, that any of them appeared to have been killed by Fire Arms?
A. I did not examine them, therefore I cannot ſay as to that Particular.

Q. You have ſaid you received an Order from Colonel Popham, to force your Way.—Was that Order in Writing?
A. I do not recollect it was in Writing.—The Note I wrote was with a Pencil; but whether it was returned in Writing or Pencil I don't recollect; it was brought by a Jemmadar Hircarrah of Mr. Markham's, the Perſon who conducted me down.

The Witneſs was directed to withdraw.

The Counſel for the Defendant deſired Colonel William Blair might be called in.

COLONEL WILLIAM BLAIR was accordingly called in, and being ſworn, was examined, as follows:

Q. Whether you was in the Province of Benares in the Year 1781?
A. I was.

Q. Was you there before the Rebellion, and in what Place?
A. I came to Chunar, where I commanded, in April 1781.

Q. How long did you continue to command at Chunar?
A. Almoſt Three Years.

Q. Was you employed againſt Cheit Sing during the Rebellion?
A. No. I commanded in the Garriſon of Chunargar.

Q. Was you at Chunar when Mr. Haſtings came there from Benares?
A. I was.

Q. Do you recollect any Intelligence given to you, prior to the Arrival of Mr. Haſtings at Chunar, at that Time.
A. I think on the 21ſt of Auguſt, the Day on which I diſpatched a Battalion of Seapoys under the Command of Captain M[c] Dougal, to the Aſſiſtance of Mr. Haſtings at Benares, Three different Perſons came to me during that Day, total Strangers, and gave me Information, that a large Body of Troops were intended to make an Attack upon the Garriſon that Night. I did not entirely credit the Information they gave me, although I did not totally reject it.—They told me ſeveral of the Commanding Officers Names, and that the Rajah was to lead them on in Perſon; that they amounted to between 20,000 and 30,000 Men, and were provided with Ladders to eſcalade the Fort in the Evening. After the Battalion ſent by me had croſſed the River to march to Benares, my own Jemmadar Hircarrah told me the Town of Chunar was much alarmed, and that many of the Inhabitants were flying the Place upon a Suſpicion that Cheit Sing's Army was upon the March towards it. I gave ſuch Orders as I thought neceſſary, to prevent a Surpriſe, and to oppoſe the Enemy with Vigour if an Attack was made. No Enemy appeared during the Day,

nor was the ſmalleſt Alarm given during the Night. On the next Morning Mr. Haſtings, with his Party, arrived at Chunar; and when I underſtood the Danger he had been in, and the Gentlemen with him, it then crowded into my Mind, that all this Information, which I had received the Day before, was intended to prevent my ſending Aſſiſtance to Mr. Haſtings; and in further Confirmation of this Conjecture, when Captain M'Dougal returned the next Day with his Battalion with Mr. Haſtings, and made the Report of the Troops under his Command; he alſo reported to me, that upon his March to Benares the Day before, ſeveral People came to him with Information that a large Body of Troops were waiting at the Village of Beetarburn, in order to prevent his March to Benares; that he gave ſuch Orders as he thought neceſſary to prevent being ſurpriſed, and proceeded upon his March, but met no Enemy, nor with any Interruption.

Q. Were the Perſons who brought this Intelligence to you, diſcovered afterwards?
A. No; I never could diſcover them, though I did every Thing in my Power to find them out.

Q. How long did Mr. Haſtings continue at Chunar, while you was there?
A. I think he returned about the Middle of September, but I am not certain.

Q. Did you, in the Courſe of the Rebellion, ſee any of the Ammunition taken from the Rebels?
A. I did; and ſent a Box of Ammunition to the Preſidency, to the beſt of my Recollection, containing Cartridges with Round Shot for Six Pounders, Quilted Grape Shot, Double headed Shot, and Chain Shot.

Q. Do you recollect whether the Deſcription of this Ammunition was good, or otherwiſe?
A. It ſeemed to me to be of a very good Quality; and moſt of the Shot ſeemed to be manufactured in Europe.

Q. Do you remember, while Mr. Haſtings was at Chunar, receiving any Intelligence of Aſſiſtance given to Cheit Sing, during the Rebellion, by any other Power?
A. I had heard it univerſally reported, that the Begums ſent Aſſiſtance to Cheit Sing from Fyzabad; I did believe it then to be true, and do ſo ſtill.

Q. Had you any Opportunity of obſerving what was the State of Cheit Sing's Forts, prior to the Rebellion?
A. I never ſaw any of Cheit Sing's Forts, prior to the Rebellion, except the Fort of Ramnagur upon the Banks of the Ganges; and he was then building Two Towers of conſiderable Strength at that Time.

Q. At what Time was that?
A. In the Month of April 1781, when I firſt arrived.

Q. How happened it that you did not ſee any other of the Forts of Cheit Sing, except the One in Queſtion—the One you have mentioned at Ramnagur?
A. I have always underſtood that Cheit Sing's Forts were induſtriouſly kept from the Knowledge of the Engliſh Officers; and I never heard of any Officer, or of any Engliſhman, who ever ſaw any of them except this Fort, till he was expelled from the Zemindary.

Q. During the Troubles at Benares, were the Troops under your Command regularly paid, or in Arrear?
A. They were Five or Six Months in Arrear.

Q. Do you know of any Endeavours on the Part of Cheit Sing, to induce the Sepoys under your Command to deſert?
A. There was a general Apprehenſion of the Conſequences of the Arrears of the Sepoys, from a Belief that Cheit Sing endeavoured to bribe them with pecuniary Rewards.

Q. Do you remember diſcovering any particular Circumſtance confirmatory of that Report?
A. I remember ſeeing it written upon the Walls of my own Garriſon, "Cheit Sing will pay us our Arrears, and give us Bounty beſides." I alſo remember, Mr. Haſtings ſending me a Note one Morning, begging, in the moſt earneſt Terms, that I would get 2,000 or 3,000 Rupees to ſatisfy the Sepoys, as they were become very clamorous, and that he did not know what the Conſequence of an Hour's Delay might be.

Q. Do you recollect whether the State of the Troops in general was ſimilar to thoſe under your Command, with reſpect to pay?
A. I believe they were all in Arrear more or leſs.

Q. Was there, or not, at that Time a conſiderable Preſſure for Money, a great Diſtreſs in the Army?
A. A great Diſtreſs in the Army for Money, as far as I underſtood.

Q. Did

Q. Did you obſerve in the Army, or in any of the Troops under your Command, or in any other Part of the Army, a Diſpoſition to mutiny on Account of the Arrears?
A. No, I cannot ſay I did, an actual Diſpoſition to mutiny, though Diſcontents were daily mentioned.

Q. Were they in ſuch a State as to endanger that, if the Arrears continued?
A. I think exceedingly ſo.

Q. Did you ever diſcover any Appearance in Mr. Haſtings of perſonal Reſentment againſt [illegible]ing?
[illegible]ver.

[illegible] Cheit Sing had broke out into Rebellion, could he have been received back again [illegible]ier Situation?
[illegible] if Mr. Haſtings had accommodated Matters with Cheit Sing, and had re-inſtated him [illegible]darry, after the Maſſacre of our Troops at Shewallah Ghaut, and the deliberate Mur[illegible]ne afterwards committed upon our Soldiers, and the ſanguinary Mandates which he [illegible] think it would have been degrading to the Britiſh Nation.

Q. Was the State of our Affairs, at the Time of the Rebellion, ſuch as might encourage a Hope of Independance on the Part of Cheit Sing?
A. I think his Succeſs at Shewallah Ghaut, and the Victory over [illegible] conſiderable a Detachment [illegible] which was under Captain Mayaffre, together with the [illegible]y Junction of his dependant [illegible]rs, gave him great Hopes of becoming independant, as I believe he expected foreign [illegible] from his great Command of Money.

Q. Was Cheit Sing joined by his dependant Zemindars?
A. He was.

Q. You are underſtood to have ſaid, that you was Three Years in that Country?
A. I was very near Three Years.

Q. How long altogether was you in India?
A. Between 25 and 26 Years.

Q. From what Time, to what Time?
A. I went firſt out to India in the Year 1764. I ſtaid then till the Year 1767, and then returned to England; I went back to India again in the Year 1768, and returned to England in the Year 1785.

Q. During the Whole of your Reſidence in India, in what Eſtimation was the Character and Government of Mr. Haſtings in India?
A. I have always heard Mr. Haſtings ſpoken of as a Man of a benevolent and humane Diſpo[illegible] as a wiſe and able Servant of the Public. Mr. Haſtings's Conduct, in his public and private Life, as far as I have known and underſtood, affords the ſtrongeſt Proofs of his Talents to govern that Country, and of his being a worthy and benevolent Character, a worthy and honourable Character.

Croſs examined.

Q. From whom did you hear that the Begums aſſiſted Cheit Sing?
A. I did not know it of myſelf, but it was the univerſal Belief every where, in every Company where I was, and I never doubted it; I know nothing official of myſelf.

Q. Whom did you hear it from at all?
A. From every Body that talked upon the Subject.

Q. From what Perſon, competent to give you Information of their own ſpecial Knowledge of the Matter, did you hear this Account?
A. I have already ſaid, that it was the general Belief every where.

The Managers for the Commons deſired the Queſtion might be read by the Clerk.

The ſame was accordingly read.

The Witneſs ſaid,

I have already ſaid, that every Perſon with whom I converſed was of that Opinion, and I never heard it doubted till my Arrival in this Country.

The Managers for the Commons deſired the Queſtion might be read.

The ſame was accordingly read.

The Witneſs ſaid,

I have already anſwered the Queſtion.

Q. From

Q. From what one Perſon, competent to know this Matter from his own Knowledge, did you ever hear any Thing upon the Subject; do you recollect any Body who told you this, whom you think competent to give an Anſwer upon the Subject?
A. I think I have heard Colonel Popham.

Q. Did you ever aſk Colonel Popham how he came to know it?
A. I do not recollect that I ever did.

Q. Did you ever uſe any Means to aſcertain the Fact?
A. No Means to aſcertain it; for I did not doubt it.

Q. What Reaſon had you not to doubt it?
A. I might as well doubt the Rebellion in Scotland in the Year 1745, as I did not [illegible]

Q. Whether the Tranſaction was not recent; and whether you was not within a l[illegible] of the Scene of Action?
A. I have ſaid, that I had no official Information on the Subject.

Q. Whether you informed Mr. Haſtings of the Accounts you had received, and to wh[illegible] gave Credit?
A. I never informed Mr. Haſtings, becauſe I have heard him often talk with [illegible] Subject?

Q. Did Mr. Haſtings make any, and what Enquiry, to your Knowledge, of the [illegible] Fact?
A. I do not know poſitively what Enquiries he made.

Q. Whether the Nabob of Oude was not at, or near Chunar, at the Time you [illegible] that Fort?
A. He was at Chunar at the Time I commanded.

Q. Do you know that Mr. Haſtings endeavoured to clear up that Point in any Conference with the Nabob?
A. I do not know.

Q. Or with his Miniſter Hyder Beg Cawn?
A. I was not with Mr. Haſtings at any of his Conferences with the Nabob, or with Hyder Beg Cawn.

Q. Have you ever heard that Mr. Haſtings cauſed ſuch Enquiry to be made, during the Time of the Nabob's Reſidence at Chunar?
A. I believe he did not; but I don't know the Fact myſelf.

Q. What Information had you of that Fact, and what is your Ground of Belief?
A. I have heard Mr. Middleton mention it.

Q. Mention what?
A. Mention that Mr. Haſtings had made Enquiries, but I did not know it myſelf.

Q. Of whom?
A. Of the Nabob, or Hyder Beg Cawn, reſpecting the Aſſiſtance the Begums were ſuppoſed to ſend to Cheit Sing.

Q. Of whom did Mr. Middleton ſay Mr. Haſtings had made the Enquiries?
A. I do not recollect.

Q. You have ſaid, that deliberate Murders were committed by Cheyt Sing; how do you know of thoſe deliberate Murders being committed by Cheyt Sing?
A. I heard it from every Perſon that converſed upon the Subject. I never heard it doubted; I have read the Affidavits ſworn to by One of the Chaſſeurs that eſcaped from the Maſſacre.

Q. Whether you are ſure, and can undertake upon your Oath to ſay, that in thoſe Affidavits you read, this Maſſacre was ever committed by Cheyt Sing, or his Orders?—that which you call a Maſſacre?
A. I never heard that Cheyt Sing did it with his own Hands; but I have always heard it mentioned that it was done by his poſitive Orders.

Q. Whether you recollect in any Affidavit, to have ſeen that depoſed?
A. Yes, in Mr. Haſtings's Narrative.

Q. Do you know any Thing of it yourſelf?
A. I could not poſſibly know any Thing of it myſelf, as I was in the Garriſon of Chunar, and this Murder was committed at Lutteefpoor.

Q. Then, you recollect that in the Affidavit it was aſſerted to have been done by his Orders?
A. I do not recollect it.

Q. Then

Q. Then the only certain Ground of your Knowledge of any Thing upon the Subject, is taken from Mr. Haſtings's Narrative?

A. From a Matter of Fact, ſpoken of as ſuch in all Companies and by every Perſon that was there at the Time.

Q. Who ſent the Shot you ſpoke of?

A. I do not recollect the Perſon that ſent the Shot, but I think it was ſent by the Perſon commanding at Bidgegur.

Q. Who was the Perſon Commanding at Bidgegur?

A. I think a Major Hook—I am not certain—I think it was.

Q. Whether you know that there was any Thing in Cheyt Sing's Treaty, or in any Orders that were ſent to him, which ſhould prevent his having good Ammunition and good Stores of any fabric, or of any other?

A. I do not know of any Thing in his Treaty that ſhould prevent him; but I think that the Magnitude of his Military Preparations, and the State of his Ammunition, was more than could be neceſſary for the Collection of his Revenues, or the Government of his Country.

Q. Who told you what was neceſſary for the Government of his Country, and the Collection of his Revenue?

A. I formed my Opinion, from his being a dependant Zemindar upon the Company.

The Managers for the Commons deſired the Queſtion might be read.

The Queſtion was accordingly read by the Clerk.

The Witneſs ſaid,

A. Nobody told me.

Q. How do you know, are you acquainted, was you at that Period of Time acquainted, with the Nature, Extent, and Collection of the Rajah's Revenue, and what the Exigencies of his Government might require.

A. I know nothing of the Rajah's Revenue.

The Managers for the Commons deſired the Queſtion might be read.

The Queſtion was accordingly read by the Clerk.

A. I do not know any Thing of his Revenue; I do not apprehend that the Exigencies of his Government could be ſuch as to require ſo great a Preparation as I ſaw in his Zemindary.

Q. What Number of Troops did the Rajah keep up, to your Knowledge?

A. I did not know what Number of Troops he kept up, being only a few Months there before the Rebellion broke out.

Q. Do you know what Quantity of Stores were remitted to you?

A. I do not remember the Quantity.

Q. Was there more than One Box?

A. Only One Box, as far as I recollect.

Q. Do you know that there was more of the ſame Kind and Quality of Stores?

A. I do not know poſitively, but I believe there was a great deal.

Q. By what Information?

A. By the Information of the Officers who ſurveyed it.

Q. Have you the Survey?

A. No.

Q. Whether you know, whether there was any Thing in Cheit Sing's Treaty, that ſhould hinder him from providing for the Defence, as well as for the interior Government of his Country, and the Collection of his Revenue?

A. I never remember to have ſeen Cheyt Sing's Treaty.

Q. Then, how, as you are ſo well converſant with Mr. Haſtings's Narrative and other Writings upon the Subject, came you to have made no Enquiry into the Matter upon which you give your Opinion?

A. What particular Matter?

Q. I mean the Number of Troops and Military Stores, and the Preparations which the Rajah ought to keep?

A. I have no official Information of any Thing of this Kind; it is from the general Opinion, and the Report of others.

Q. Whether

Q. Whether you have not heard, and read in Mr. Haſtings's Narrative, that the Rajah was called upon for a Body of Troops for the Company's Service?
A. I have heard it.

Q. Whether you have not heard, that Cantoo Baboo, the principal Dewan of Mr. Haſtings, and an Engliſh Gentleman of the Name of Barnett, were actually in Cuſtody of Cheit Sing?
A. I have heard it.

Q. Whether you do not know, that Cantoo Baboo and Mr. Barnett were releaſed [illegible] Sing, and joined Mr. Haſtings either at Benares or Chunar?
A. I ſaw Mr. Barnett after his Releaſe, and believe he was releaſed by Cheit Sing [illegible] heard that Cantoo Baboo was releaſed, but I did not ſee him myſelf.

Q. Whether Ramnagur was a Place always kept carefully from the View of the E[illegible]
A. Ramnagur was never kept from the View of the Engliſh, as far as I underſtood [illegible]

Q. Whether that was not the Fort that you ſay had Two Towers lately built to it?
A. I have already ſaid ſo.

Q. Whether thoſe Towers were not built before Mr. Haſtings's Arrival there?
A. They were building in the Month of April. I ſaw them myſelf as I paſſed [illegible] March.

Q. Was not Ramnagur a Place in the View of Benares, and continually in the E[illegible] Engliſh Reſident there?
A. It was to be ſeen from Benares, in going towards the River; but it was impoſſible to ſee from the Reſident's Houſe.

Q. How far is it from Benares?
A. I am not quite certain, but I think a Mile and an Half or Two Miles, [illegible] of the River.

Q. Was it not the ordinary Reſidence of the Rajah?
A. I believe it was.

Q. Have you Reaſon to think that the Reſident did not frequently go himſelf to Ramnagur, to ſee and converſe with the Rajah?
A. I believe he did.

Q. Whether you yourſelf made, upon this Obſervation, or the Reſident, to the beſt of your Information, any Remonſtrance to Mr. Haſtings at that Time, upon the menacing Appearance of thoſe Towers?
A. I never did.

Q. Did you hear that the Reſident ever did?
A. No.

Q. Did you ever requeſt to ſee any of the Rajah's Forts?
A. I never did.

Q. Whether, or no, you did not take a Perſon called Nunkoo Sing, or had in your Hands a Perſon called Nunkoo Sing, who was charged with being a Perſon principally concerned in the Slaughter of Shewallah Ghaut?
A. I never had him in my Poſſeſſion; but, upon hearing that he had entered the Zemindary, after the Expulſion of Cheit Sing, and not knowing that Government had given him Leave to return, I ſent a Detachment from Chunar towards Mirzapoor, in order to apprehend him, but he retired and fled.

Q. Did you not actually inform the Reſident of the Steps that you had taken to apprehend Nunkoo Sing?
A. I did.

Q. What Anſwer did you receive?
A. Mr. Markham replied to me, as far as I can recollect, that I ought not to have ſent to apprehend Nunkoo Sing, without firſt acquainting him.

Q. How do you know that Nunkoo Sing had Mr. Haſtings's Safe Conduct?
A. Mr. Markham acquainted me, that he had a Paſſport, either ſigned by him, or Mr. Haſtings.

Q. What Reaſon have you to think, that Nunkoo Sing was flying when he was protected by Mr. Haſtings's Paſſport?
A. I cannot pretend to ſay what Nunkoo Sing's Reaſons were; I ſuppoſe he conceived his Perſon was not ſafe, when he heard of a Military Force coming that Way.

Q. Whether you would have reſpected Mr. Haſtings's Paſſport?
A. Moſt undoubtedly I would.

Q. Whether

Q. Whether you have heard why Mr. Haſtings gave Nunkoo Sing a Paſſport, charged as he was with being a principal Perſon in that Maſſacre?
A. I never did.

Q. Whether you are not of Opinion, that the taking up Nunkoo Sing, and examining him, might give much Light to the Whole of the Tranſaction?
A. I cannot tell; I believe Nunkoo Sing afterwards came into the Zemindary; but I am not c[illegible]

[illegible]you hear that any farther Enquiry was made after him, to bring him to Puniſhment, or [illegible]her Diſcoveries?
[illegible] heard any Thing more reſpecting him.

[illegible]y, that Cheit Sing made Attempts to bribe the Sepoys, who were clamorous for Pay, [illegible]n—How do you know it?
[illegible] not ſay, that Cheit Sing endeavoured to bribe the Sepoys; I only ſaid it was appre-[illegible]hat he had taken ſuch Steps.

Q. Whether the ſcrawling upon the Walls might not have been done by the Sepoys themſelves, as a Menace to the Britiſh Goverment?
A. I do not know the Motives; I do not know who wrote them.

Q. Did not they purport to be written by the Sepoys themſelves?
A. I did not ſay ſo; I ſaid, that certain Expreſſions were written upon the Walls of my Garriſon, which I mentioned.

Q. Upon what Part of the Walls of your Garriſon?
A. I do not particularly recollect what Part it was.

Q. As near as you can recollect, what Part of the Walls?
A. As high as a Perſon could reach.

Q. Within or without the Walls?
A. Without the Walls.

Q. Were none wrote within?
A. I did not look.

Q. Did you look on the Outſide?
A. I could not have ſeen it if I had not looked.

Q. Do you know yourſelf, that any of the Sepoys actually did deſert to Cheit Sing?
A. I do not recollect they did.

Q. What Time was it, whether before or after the Revolt and Diſturbances, that thoſe Things were written upon the Walls?
A. After the Revolt of Cheit Sing, and the Arrival of Mr. Haſtings at Chunargur.

Q. Whether you have not known of ſeveral Complaints made to the Reſident, concerning the Misbehaviour of the Soldiers in your Garriſon?
A. I do not remember any particular Complaints; but I make no Doubt but there may have been many.

Q. Do you not actually know, that a Complaint was made to you of the Miſconduct of your Soldiers, by Mr. Fowke?
A. I do not recollect that any Complaints were made by Mr. Fowke; but I think ſome were made by Mr. Markham.

Q. Was it not the Subſtance of One of his Complaints, that the great Merchants of Mirzapore have ſhut up their Grain Houſes, in conſequence of the Proceedings of your Soldiers?
A. I do not recollect; but it might be ſo.

Q. Whether, on the 6th of November 1783, a Complaint was not made by Mr. Fowke, of other Diſorders?
A. Mr. Fowke was not there in the Year 1783.

Q. Was no Complaint made to you in 1783, by the Reſident?
A. I have already ſaid that ſeveral Complaints might have been made.

Q. Whether you did not admit the Juſtice of the Complaint, and in return to the Reſident, complain that you were in Want of Money?
A. I do not recollect all my Correſpondence with the Reſident, at this Diſtance of Time.

Q. Do you recollect any Example made of any of thoſe Soldiers, to deter them from committing other Diſorders and Exceſſes in the Zemindary?
A. If there were any well-grounded Complaints againſt any of the Soldiers under my Command, I believe they muſt have been puniſhed, if convicted.

Q. Whether

Q. Whether any of them were in Fact puniſhed for ſuch Diſorders, whether true or falſe, upon any Charge of Diſorders?

A. Many Soldiers were puniſhed for Diſorders under my Command; but I do not recollect for what particular Crimes.

Q. You do not recollect, whether any were particularly puniſhed upon Complaints made by the Reſidents, Fowke and Markham?

A. I do not recollect any particular Complaint made by them, though there might have [illegible]

Q. Whether you had not a Complaint from the Reſident, of Depredations commi[illegible] Purgunnah of Bidjeygur by Ider Sing and Deo Sing?

A. I cannot charge my Memory with any ſuch Thing; it might perhaps have beer[illegible]

Q. Whether you recollect, in Anſwer to this Complaint, your ſaying, that th[illegible] ſupported by a conſiderable armed Force?

A. I do not recollect the Circumſtance.

Q. Do you recollect ever ſending Mr. Meredith, who commanded your Detachment, [illegible] with the Rajah for giving up the Plunder or Plunderers, Ider Sing or Deo Sing?

A. I recollect, now the Name is mentioned, ſending Captain Meredith upon ſome ſuch Buſineſs.—I do recollect ſending Captain Meredith upon ſome ſuch Buſineſs, now that I am put in mind of the Name.

Q. Do you think that theſe Hill Rajahs, making Incurſions into the plain Country of Ghauzepoor, could be ſuppreſſed without a regular Force?

A. I do not know.

Q. You ſpoke of a Deſign of Cheit Sing to ſet up for Independence, whether you have ever ſeen any Letters or Papers, or other Documents, upon which you could ground that Opinion?

A. I have ſeen no Documents or Papers to ground ſuch an Opinion upon.

Q. Whether you have not ſaid, that he had foreign Correſpondence for that Purpoſe; and if ſo, what you know of theſe foreign Correſpondences?

A. I have not ſaid that he had foreign Correſpondence, though I have generally heard that he had.

Q. Then you know nothing of the Subject but by that Hearſay?

A. No.

Q. *(by Counſel.)* Whether you had a ſufficient Knowledge of the Country of Benares, to enable you to form a Judgment of the Force neceſſary for the Collection of the Revenue?

A. I had not a ſufficient Knowledge to know the Force that was neceſſary.

Q. But to form a general Judgment of it?

A. I heard, and believe, that a very ſmall Force was requiſite.

Q. Do you know what Force was employed for that Purpoſe, under the new Government, after Mehipnarrain was appointed.

A. I do not know poſitively, I have heard —

Q. You was aſked upon the Subject of the Paſſport granted to Nuncoo Sing, whether that was ſubſequent to the general Amneſty under the Proclamation?

A. It was after the Proclamation.

Then, the printed Minutes were ſhewn to the Witneſs, and the following Queſtion was put to him;

Q. Look at the Liſt of the Perſons by whom thoſe Affidavits were made, and inform the Houſe, if you know any of the Perſons, and point them out.

A. I do not know any of them.

Q. You ſaid, you was not acquainted with the Extent of Cheit Sing's Preparations, prior to the Rebellion—Did you ſee his Preparations; and could you form any Judgment from ſeeing them afterwards?

A. I think his Preparations were more than could poſſibly be wanted for the Collection of his Revenues, or for any other Purpoſes of his Government.

Q. What Preparations do you attribute that to—to his Military Eſtabliſhment?

A. His Military Eſtabliſhment—the State of his Military Stores and Artillery.

Q. And the State of his Forts?

A. Yes; the compleat Repair that they all ſeemed to be in.

Q. You was aſked reſpecting the Report that you ſpoke of, of the Aſſiſtance given by the Begums to Cheit Sing—whether that was a current Report and Belief of the whole Camp; not of an Individual, but of all the Officers at Chunar at that Time?

A. I never heard it doubted by a ſingle Individual at Chunar, either Civil or Military.

Q. *(by*

Q. (*By Managers.*) Whether you know the Date of the Paſſport?
A. I never ſaw the Paſſport?

Q. Do you know what the Rajah's Preparations, which you laſt ſpoke of, were, of your own Knowledge, previous to the Time of Shewallah Ghaut? The Queſtion does not mean concerning the Time of War.
A. I know of no Preparations previous to the Maſſacre at Shewallah Ghaut.

Q. Have you ſeen the Forts yourſelf, ſo as to know what Degree of Completeneſs and Repair were in?
A. I ſaw them all, and I think they were in complete Repair.

Q. When did you ſee them?
A. Laſt immediately after they were captured.

Q. What Reaſon have you to think, that keeping Forts in Repair is a Proof of a premeditated Rebellion?
A. It is not a Proof, but a Preſumption.

Q. Whether you do not know, that the Rajah Cheit Sing was a Frontier Zemindar, and if it is not expected of ſuch Zemindars as have Forts, that they ſhould keep them in a defenſible Condition?
A. He was a Frontier Zemindar; but I do not know that it was allowed by our Government that he ſhould keep his Forts in a defenſible Situation.

Q. Did you ever know it to be prohibited?
A. Not till after the Rebellion.

Q. Whether you informed Mr. Haſtings, from your previous Obſervation of the Condition of thoſe Forts, that you preſumed an Intention to rebel?
A. I never knew any Thing of the Condition of his Forts, previous to the Rebellion.

Q. (*by a Lord.*) You mentioned Two Towers that were building at the Fort of Ramnagur, whether theſe Forts could be of any Uſe to Cheit Sing for the Purpoſe of collecting his Revenue?
A. I believe of none.

Q. (*by Managers.*) Whether it was not the Cuſtom for the great Men in that Country to live in their Forts, and keep their Women in them?
A. I believe it is cuſtomary.

Q. Whether Ramnagur made any Defence, and what?
A. I believe it was deſerted by the Rajah's People upon hearing that he fled.

Q. (*by a Lord.*) You have ſaid, that Cheit Sing relied upon foreign Aſſiſtance, do you mean upon the Aſſiſtance of the Begums only, or upon any other foreign Aſſiſtance, and what?
A. I underſtood that he had written Letters to the Mahrattas to call on them for their Aſſiſtance; believe to Scindia.

Q. (*by Managers.*) Can you recollect from whom you heard it?
A. I do not recollect any Individual; it was the general Converſation at Chunar when I was there.

The Witneſs was directed to withdraw.

Then the Counſel for the Defendant deſired Mr. Græme might be called in.

CHARLES GRÆME Eſquire, was accordingly called in, and being ſworn, was examined, as follows:

Q. Whether you was not in 1781, Collector of that Part of Bahar, which is called Circar Sarum?
A. I was.

Q. Was Huſſypore, Part of that Diſtrict?
A. It was. The Engagements for the Revenue of Huſſypore were taken ſeparate from thoſe of Sircar Sarum.

Q. Was it Part of your Collectorſhip?
A. It was.

Q. Had that Country been infeſted by a Perſon of the Name of Futtyſaw, a rebellious Rajah, in the Beginning of the Year 1781?
A. It had.

Q. Do you know at what Time in that Year Futtyſaw was driven out of Huſſypore, and where, when driven out, he took Refuge?

A. He was driven out of Huſſypore in the Month of February 1781, and I have reaſon to believe that he fled into the Diſtrict of Cheyt Sing, and that he remained there until his Return into Huſſypore, in the Month of Auguſt 1781, in the ſame Year.

Q. Had you Reaſon to know, by any Communications made to you by Captain Maxwell, the Officer commanding in that Diſtrict, that Futtyſaw had, prior to the Time of Cheyt Sing's [illegible] Rebellion, kept up a Correſpondence with ſome of the Rajahs of Huſſypore, injurious to the Intereſt of the India Company in that Quarter?

A. It was ſtated to me in a Letter.

The Evidence was objected to.

Q. Whether thoſe Communications there repreſented, were made to you by Captain M[illegible]

A. They were.

Then, the printed Minutes, Page 219, were ſhewn to the Witneſs, and he was deſired to look at a Letter, ſigned Robert Maxwell, dated Burragong, the 17th Auguſt 1781.—Alſo, a Letter, ſigned Charles Græme, dated Chuprah, the 19th Auguſt 1781; and he was aſked,

Q. Did you accompany the Communication, contained in the Letter of the 17th Auguſt, with the Letter which precedes it in the ſame Page, from yourſelf to Mr. Haſtings?

A. I certainly did.

Q. Did you then believe, and do you now believe, that the Matter of ſuch Communication, made by Captain Maxwell to you, and by you made to Mr. Haſtings, was true?

A. I certainly did believe it to be true, and do now believe it to be true; and I have further Reaſon for believing it ſo, becauſe I had received the Orders of the Governor to endeavour to apprehend Futtyſaw; and I therefore thought it my Duty to diſcover the Places of his Retreat, and by whom he was ſupported. The Information I received in conſequence of thoſe Enquiries correſponded with that which Captain Maxwell gave me.

Q. Whether that Letter of yours, dated the 19th Auguſt 1781, incloſing another from Captain Maxwell, bearing Date the 17th of the ſame Month, was not written before you knew of the Fact of Cheyt Sing's Rebellion?

A. It was. I did not hear of the Rebellion in Cheyt Sing's Country, until the 21ſt of the Month; and my Letter is dated on the 19th.

Q. At what Time did Futtyſaw make a hoſtile Irruption into the Country of Huſſypore that Year?

A. He made Two in that Year.

Q. At what Periods?

A. One in the Month of February.

Q. When was the Second?

A. And the Second in the Month of Auguſt—upon the March of a Battalion that had been ſtationed there for the Protection of the Diſtrict.

Then, the printed Evidence was ſhewn to the Witneſs, and he was aſked,

Q. Whether you did not communicate by Letter, dated 4th September 1781, in Page 207 of the printed Minutes, the Fact of that Irruption.

A. Yes. I did.

Q. Did you, at the Time of writing this Letter of the 4th of September 1781, which mentions that a Zemindar of the Diſtrict, named Durjoo Sing, had received Letters under Cheyt Sing's own Hand, and having the Seal of his Government affixed to them, deſiring Durjoo Sing to kill every European and Sepoy he could, and to join him with all his People.—Did you believe, that ſuch Letter had been received by Durjoo Sing from Cheyt Sing, as you repreſented in that Letter?

A. I certainly did.

Q. Did you ſee the Letter referred to in that Letter of yours of the 4th September 1781, purporting to be under the Hand and Seal of Cheyt Sing?

A. I ſaw both the Letters ſo written, though one of them only is referred to in my Letter of the 4th September 1781. The Letter alluded to was delivered by Durjoo Sing into the Hands of the Aumil of Gawzipore, Govind Ram, by whom it was ſent to me.

Q. Are the Letters, inſerted in Page 253, of the printed Minutes, the Letters you [illegible] ſaw?

A. The Letters were written in the Hindoo Language, which I do not read; but theſe Tranſlations correſpond with the Reading of thoſe Letters to me.

Q. How

Q. How long was you in the Country of India altogether, at that Time, and how long after the Rebellion at Benares?

A. Altogether, I was in India Sixteen Years, and continued there until the Month of December 1785, Four Years after the Rebellion.

Q. That was ſome Time after the Termination of Mr. Haſtings's Government; after he quitted India?

A. Certainly was.

Q. What Eſtimation did Mr. Haſtings ſtand with the Native Inhabitants of India, as well before the Commencement of the Rebellion at Benares, as after, and up to the Time of your Departure from India?

A. No Man could ſtand higher in their Opinion than he did, and in the Opinion of every one with whom I have had an Opportunity of converſing, and of knowing their Sentiments reſpecting the Regulations, as far as I knew of them, tended to promote the Happineſs of the People; and I think he was eminently diſtinguiſhed for his Humanity and Benevolence.

Croſs examined.

Q. Have you the Letter to which you allude, written in the Hindoo Language, under the Seal of Cheit Sing, as deſcribed by you?

A. I have not.

Q. Do you know who made the Tranſlations?

A. I do not know who made the Tranſlations, which are in the printed Correſpondence.

Q. You have not the Original, and do not know who made the Tranſlations?

A. No.

Q. Whether you wrote to Cheit Sing, in conſequence of the Complaints of Futtyſaw's taking Refuge in his Dominions?

A. I never had any Correſpondence with Cheit Sing.

Q. Did you write to the Britiſh Reſident upon the Subject?

A. I think I did make Repreſentations to the Reſident upon the Subject more than once.

Q. What Anſwer did you receive from the Reſident?

A. I really have it not in my Power to ſtate what particular Anſwer I received.

Q. Did you never hear that Irruptions, by Patna Zemindars, were made into Belliar, and the Conſequences that aroſe from them?

A. I never did.

Q. Did you never hear that Cheit Sing made Remonſtrances in conſequence of it?

A. Having never heard of ſuch Irruptions, I conſequently could never have heard that Cheyt Sing made any Repreſentation upon the Subject.

Q. Do you know, whether any Letter was written by the Reſident on that Subject to you?

A. I recollect a Quarrel ariſing between ſome Zemindars of the Diſtrict of Sircar Sarum and others belonging to the Diſtrict of Rajah Cheyt Sing, in which I think ſeveral Perſons were hurt, but not killed.—The Diſpute I believe was about a Boundary.

Q. What Enquiry was made into it, upon the Rajah's complaining?

A. I do not recollect the Reſult of the Enquiry.

Q. Whether any Juſtice was done upon any of the Parties?

A. I rather think the Matter was made up, and that no particular Puniſhment was inflicted upon either Side.

Q. Whether there is any Record of the Proceedings of that Agreement or Compromiſe?

A. I do not know indeed.

Q. What do you know about Futtyſaw at all—who Futtyſaw was?

A. Futtyſaw had originally, I believe, poſſeſſed ſome Land in the Diſtrict of Huſſypoor, but previous to my going into that Diſtrict he was in a State of Exile.

Q. Whether, when you ſay he was a Rebel, do you know whom he was a Rebel to,—whether he was a Rebel to the Company?

A. He was conſidered as a Rebel to the Company.

Q. To the Company?

A. Certainly.

Q. Whether you know of any Proceeding againſt him in Huſſypoor, or any other Part of the Company's Dominions, by which he was aſcertained to be guilty of the Crime of Rebellion?

A. It never was a Part of my Duty to inveſtigate whether the Appellation of Rebel was a proper one or not, becauſe the Circumſtance of his quitting that Diſtrict happened many Years before I even was in India.

Q. Then

Q. Then you do not know whether he was a Rebel or no?
A. I have already ſaid, I do not know whether the Term was properly applied to him or not.

Q. Whether you have not heard he was one of the Men of the greateſt Rank and Quality in that Country, and ſo generally eſteemed?
A. He was a Man of very high Caſt.

Q. Whether the common People of that Country had not a great Attachment to h[illegible] a great Veneration for him?
A. I believe a great many of them had.

Q. Whether you have not heard, this very Futtyſaw took Refuge in the very ſan[illegible] Benares, after it had come under the Dominion of the Engliſh in the Year 1783?
A. I do not recollect any particular Information which ſtated him to have been t[illegible] Affair of Benares, but I do not think it at all improbable, as there are very large Fore[illegible] Sing's Country, where he might have concealed himſelf; but I certainly never received a[illegible] mation of his having been protected there.

Q. What Information have you received of his Protection there under Cheit Sing, and what it is?
A. I have already ſtated, that I conſidered it my Duty to enquire reſpecting the Place of his Retreat, and that the Reſult of thoſe Enquiries led me to believe he was protected there.

Q. Where are thoſe Informations?
A. Informations of the Kind I allude to were generally verbal, communicated by Hircarras employed for the Purpoſe of gaining Information.

Q. How came you not to make a Remonſtrance to the Reſident upon that Subject?
A. I believe I have already ſaid, that I think I frequently did.

Q. Did you particularize to the Reſident thoſe Places in which you was informed Futtyſaw was protected?
A. I dare ſay I did.

Q. Are you pretty ſure you did?
A. I think it moſt probable I muſt have ſtated the different Places.

Q. *(by Counſel.)* Thoſe Letters in the printed Papers appear to have been tranſlated by a Perſon called Gomanny Loll, a Hindoo Tranſlator?
A. Yes.

Q. That was not the Perſon employed by you?
A. No.

Q. Whether Futtyſaw had been expelled in the Month of February 1781, by the Britiſh Arms under Lieutenant Hutchinſon; and whether he had not, in Auguſt of the ſame Year, returned [illegible] Arms, and was again driven out by the Britiſh Force under Major Lucas?
A. He certainly was.

Q. *(by a Lord.)* Tell the Court again, in what Manner thoſe Letters were tranſlated to you;—you ſtated you did not underſtand Hindoo?
A. I ſaid I could not read Hindoo, but underſtood it when read.

Q. Then, when it was ſo read, did the Contents of that Letter ſo read to you correſpond with that Letter you have now read?
A. That is what I ſaid.

Q. *(by Managers.)* Who read it to you?

No Anſwer.

Q. *(by Managers).* Who was the Tranſlator?
A. They were ſent to Mr. Haſtings at Benares, and, I believe, there tranſlated.

Q. Do you mean the original Letters were ſent to Mr. Haſtings?
A. Yes.

Q. And there tranſlated?

No Anſwer.

Q. Then, with reſpect to this Futtyſaw, how do you know that he was in this [illegible] driven out by Britiſh Forces from the Country, and by whoſe Orders?
A. I know it from a conſtant Correſpondence (the Second Time I ſpeak of now particularly) with the Officer who commanded the Troops, and who attacked him when he was ſtrongly entrenched in Huſſypore. I ſaw a Number of the wounded Men after the Engagement.

Q. A[illegible]

Q. At that Period of Time, from what Quarter did he come into the Country of Huſſypore?
A. I cannot exactly ſtate what particular Part of the Diſtrict he firſt entered. I have already ſaid, my Information led me to believe he came in the Month of Auguſt immediately from Cheit Sing's Diſtrict.

Q. In what Year?
A. In the Year 1781.

Q. That was ſubſequent to the Troubles?
A. During the Troubles.

Q. With reſpect to Futtyſaw, whether you do not know he was obliged to quit the Vizier's Dominions upon Grievances he ſuffered in that Country?
A. Yes, I do not.

The Witneſs was directed to withdraw.

Then the Counſel for the Defendant deſired Joſeph Wade Eſquire might be called in.

JOSEPH WADE Eſquire was accordingly called in, and being ſworn, was examined as follows:

Q. Was you in India, and in what Corps was you ſerving, in the Year 1781?
A. In the Corps of Rangers.

Q. In what Place?
A. In Guallior, and in the Zemindary of Benares, under Major Popham.

Q. Did that Corps compoſe Sir Eyre Coote's Body Guard in the Year 1779?
A. It did.

Q. Did you then accompany Sir Eyre Coote with it to Benares, from Lucknow?
A. I did.

Q. Was you preſent at the Meeting which then took place between Sir Eyre Coote and Cheyt Sing?
A. I was.

Q. Did Cheyt Sing come attended with a numerous armed Force, or only with a numerous Suite or Swarry?
A. He came with a common Swarry.

Q. If he had had any armed Force muſt you have ſeen it?
A. If he had had any immediately in Attendance, I muſt have ſeen them.

Q. Was you afterwards, with the Corps you belonged to, ſtationed with Major Popham's Detachment in the Province of Benares, on the breaking out of the Rebellion?
A. I was ſtationed at Mirzapore with Major Popham's Detachment.

Q. How long had you been ſtationed there, previous to the Rebellion of Benares?
A. I think about Two Months.

Q. Deſcribe what that Poſition was?
A. The Camp extended along the Banks of the Ganges, between that River and the high Road leading from the Decan, the Country of the Mahrattas and other independant States South Weſt of Cheyt Sing's Zemindary.

Q. Did that Situation afford you any particular Opportunity of forming an Opinion, that Cheyt Sing was diſaffected to the Britiſh Government; and if ſo, on what Facts was that Opinion founded?
A. I had heard long before of Cheyt Sing's Diſaffection to the Britiſh Government.—That Poſition did afford me ſome Opportunities of obſerving what, at that Time, forcibly ſtruck me as Marks of Diſaffection.

Q. Did you ſee armed Men occaſionally coming into the Country?
A. I did.

Q. From the Mahratta Country?
A. I did ſee them come along the Road, in the Front of our Encampment almoſt daily in ſmall Parties, during the Whole of the Period we were encamped in that Poſition.

Q. In what Months did you obſerve thoſe Facts?
A. In the Months of June and July 1781.

Q. Was this the moſt critical Period of the War, in which we were then engaged?
A. I did then conſider it ſuch.

The Queſtion was objected to.

Q. Was it, or was it not?
A. I did conſider it ſuch.

Q. Had, or had not, the armed Men, whom you ſaw coming into the Zemindary, the Appearance of Troops enliſted for Cheit Sing, or otherwiſe?
A. They were completely armed in the Hindoſtan Manner.

Q. How long, previous to the Inſurrection of Benares, did you remain in the abſition?
A. About Two Months.

Q. Was you at Benares on the 16th of Auguſt 1781?
A. I was.

Q. Was you with Colonel Popham, when he marched to the Support of Lieutenant Birrel's Party at Shewallah Ghaut?
A. I was.

Q. What did you perceive on entering the Place?
A. That a dreadful Carnage had recently taken place; the Bodies of three European Officers lying dead, Two of them dreadfully mangled, and ſeveral Sepoys killed and wounded.

Q. Was you detached by Colonel Popham, on the Day of the Firſt Action at Patteeta, to ſupport Captain Blair?
A. I was.

Q. Did you arrive before or after the Engagement was at an End?
A. I did not arrive before Captain Blair had taken Cheit Sing's Guns.

Q. Did you afterwards ſee the Ordnance and Ammunition that were then taken from the Enemy?
A. I ſaw ſome of it; I ſaw the Guns and ſome of the Shot, in the Field of Battle.

Q. Deſcribe the general Quality?
A. I do not immediately now recollect any to have ſtruck me forcibly, but the Grape Shot.

Q. Was you afterwards with Colonel Popham's Detachment, at the Attack of the Town or Fort of Patteeta, upon the 20th September 1781?
A. I was.

Q. How long was you there before that Attack?
A. Where?

Q. At Patteeta?
A. We attacked it immediately upon our Arrival oppoſite the Town.

Q. What was your Situation during that Attack?
A. I commanded a Corps of Independant Rangers at the Battering Guard.

Q. Was the Battery you are ſpeaking of cannonaded by the Enemy?
A. It was attacked from a Hill upon our left Flank.

Q. Was the Party viſible that attacked it?
A. The Party was not viſible—the Hill and Country immediately about it was thickly covered with Wood.

Q. Was any Force ſent to diſlodge the Enemy from their then Poſſeſſion?
A. A Native Sepoy Officer, with a Party of Sepoys, were ſent to repel the Party who had attacked our Battery.

Q. Did they bring in any Priſoners?
A. They did.

Q. Were there among the Number, any Perſons appearing to be Nudjeebs?
A. There was One among them a Nudjeeb.

Q. What Account did this Man give of himſelf?
A. That he had been ſent from Fyzabad by the Begums, with a Body of 600 Nudjeebs to which he belonged; that previous to their Departure from Fyzabad, they had received Two Rupees in Advance, from the Begums; that that Afternoon, he the Priſoner, had been detached to make the Attack which took Place on our Battery. I knew the Man to be a Nudjeeb—the Uniform of that Corps was known to me—I have ſeen ſeveral of them in the Nabob of Oude's Dominions.

Dominions. The Man was wounded, and from the Battery was ſent up to Colonel Popham, Major Popham then, who commanded the Camp.

Q. After the taking of Pateeta, did you go to Lutteefpore?
A. I did.

Q. Was you acquainted with a Perſon of the Name of Mordelait?
A. I knew him very well; he was a Corporal in the Corps of Rangers.

Q. [illegible] find him at Lutteefpore, on your Arrival there; and if ſo, in what State?
A. [illegible]rning we entered Lutteefpore, from which Place Cheit Sing had fled, after the Tranſ-[illegible]llah Ghaut, I met Jean Mordelait in a very thin State; he ſhewed me the Mark of [illegible]ad been run through his Body: He told me, that he and 13 more of his Compa-[illegible]taken, by Cheit Sing, from the Hoſpital at Mirzapore, and they were carried to [illegible]riſons at Lutteefpore; that they had been ſent from thence to a Poſt, in the [illegible] Lutteefpore; that there they were ordered into the Woods, and that they were maſ-[illegible] his Companions were maſſacred in cold Blood, after having received ſeveral of the [illegible]eſt Indignities that could be offered; that he himſelf lay as if dead: Some had been cut down with Sabres, others bayoneted, and that he was left for dead, on the Spot; that after the People went away, who had committed this horrid Maſſacre, he made the beſt of his Way to a neighbouring Village; that the People carried him back to the Poſt where he had been formerly confined, and they told him, as it was his Fate to live, that he might live.

Q. Was this the Account which Mordelait gave of himſelf, and of the Treatment of his Companions, immediately upon your entering Lutteefpore?
A. It was immediately upon my entering Lutteefpore. I believe a Quarter of an Hour or Ten Minutes had elapſed.

Q. Was you afterwards at the Capture of Bidjegur?
A. I was.

Q. After that was at an End, had you any Opportunity of obſerving the different Forts of Cheit Sing, ſo as to be able to ſtate in what Condition they were?
A. The Forts that I ſaw, after Cheit Sing was driven out of the Country, are all ſituated on the Hills and Woods, and appeared to have been kept in excellent Repair. Some of them had a great deal of new Work upon them; but not ſo recent but what it muſt have been performed before his Rebellion.

Q. How long did you remain in the Zemindary of Benares, after the Rebellion was quelled?
A. [illegible]ar Three Years.

Q. [illegible]d you, during that Period, traverſe it frequently in different Directions?
A. I did.

Q. Did it appear to have ſuffered from the Changes made in the Adminiſtration of it?
A. [illegible]ot in the leaſt, ſome Parts of it were even improved.

Q. [illegible]ere the Natives in general ſatisfied with the Government as eſtabliſhed ſubſequent to the [illegible] of Cheit Sing?
A. They certainly were very much ſo, excepting in the Parts that had ſuffered under Durbid-[illegible]ing.

Q. What was the State of the Police before the Inſurrection at Benares?
A. The State of the Police before the Inſurrection at Benares, I can only ſpeak to from Hearſay, [illegible] extremely bad.

Q. From Knowledge can you ſtate what was the Condition of the Police after the Expulſion of Cheit Sing?
A. A much better regulated Police, at leaſt in its Effects, than that of London.

Q. When did you quit India?
A. I left Bengal in the Month of January 1787.

Q. During all the Time you reſided there, in what Eſtimation was the Character of Mr. Haſtings held both by Natives and Europeans in every Part of India where you had an Opportunity of becoming acquainted with it?
A. Mr. Haſtings bore the higheſt publick and private Character amongſt the Natives and Europeans. They always ſpoke in high Terms of his Diſintereſtedneſs, Humanity, and Attention to their Laws and Cuſtoms, Civil and Religious.

Croſs-examined.

Q. You have ſaid, that in the Year 1781, when you was at Mirzapore, it was a very critical Situation of the War for the Company; what was your Age at that Time, in the Year 1781?
A. I believe Twenty-four, I am now Thirty-five.

Q. How

Q. How long was you in the Company's Service?
A. Eleven Years.

Q. What Rank had you in the Service of the Company at that Period of Time?
A. At that Time I was a Lieutenant.

Q. Having been at Mirzapore, and having heard of Cheit Sing's Diſaffection there, from whom did you hear it?
A. I heard it before I left Calcutta to go up the Country with Sir Eyre Coote conſtantly mentioned at Head Quarters. I heard it mentioned in the Mahratta Country, where I [illegible] previous to the breaking out of the Rebellion.—I heard it frequently mentioned while we [illegible] at Mirzapore.

The Managers for the Commons deſired the Queſtion might read.

The ſame was accordingly read by the Clerk.

Q. *(by a Lord)*. Do you remember any Perſon in particular from whom you heard it?
A. I heard it from various Natives; it was a common Topick with the European Gentlemen that Time in Camp.

Q. *(by Managers)*. From whom did you hear it? Do you, or not, remember from any Perſon in particular?
A. I do particularly remember a Moonſhy in my own Service, a Maſter of the Perſian Language.

Q. Did he give you any Reaſons or Particulars that might induce you to believe it?
A. Thoſe People coming daily in ſmall Bodies, compleatly armed, into the Country at a Period which I conſidered to be a very critical one to our Affairs in India, did particularly give riſe to my Suſpicions on the Occaſion with reſpect to Cheit Sing having been well founded.

Q. What Reaſons did the Moonſhy, upon whoſe Authority you go, furniſh you with, to induce you to believe there was any Truth in the Report?
A. It is cuſtomary for the confidential Servants of European Gentlemen, in the interior Parts of the Country, to go every Afternoon to the Buzars, and other publick Rendezvous, to hear the News, which they, in the Afternoon, generally bring as the current Reports of the Day.

Q. Did he furniſh you no other or better Argument to ſupport the Information he gave you? Is that all?
A. It was publickly talked of in the Country.

Q. Who was it at Calcutta that told you, and when was it that you was told at Calcutta of Cheit Sing's Diſaffection and Diſpoſition to ſhake off the Britiſh Government?
A. I have heard Sir Eyre Coote mention Cheit Sing's Diſobedience; I have alſo heard him mention the Subſtance of Mr. Graham's Communications on that Subject.

Q. Did Sir Eyre Coote ſpeak any Thing from his own Knowledge and Obſervation of Cheit Sing's Country and Conduct, that induced him to think ſo?
A. What I heard Sir Eyre Coote mention upon the Occaſion, I apprehend to have been [illegible] on Mr. Graham's Communications, and what other Reaſons he had for ordering Captain [illegible] and M'Pherſon's Battalions from Dinagepore into the Zemindary of Benares.

Q. Did Sir Eyre Coote mention any Thing to you, that does not appear upon the [illegible] pondence?
A. Sir Eyre Coote did not mention to me any Circumſtance reſpecting Cheit Sing's Diſaffection, but talked of it publickly at Head Quarters.

Q. At what Time?
A. In the latter End of the Summer of the Year 1779.

Q. What Number of armed Men did you ſee coming from the Mahratta Country to Mirzapore, as near as you recollect?
A. During the Period of our being encamped at Mirzapoor, they were conſtantly coming into the Country in ſmall Parties; I do not immediately recollect how many Men; they might be Four, Five, Six, Ten at a Time; but all ſmall Parties, ſufficiently ſo, to excite Suſpicion.

Q. Did they excite Suſpicion?
A. They moſt undoubtedly did.

Q. Were any Meaſures taken to aſcertain whether they were Recruits for Cheit Sing?
A. They never ſtruck me as Recruits; they had the Appearance of formed Soldiers, armed in the Hindoſtan Manner.

Q. Did you take any Meaſures, or do you know if any Meaſures were taken to aſcertain that they were going at all into the Service of Cheit Sing?
A. I do not.

Q. Whether

Q. Whether, conſidering them as dangerous, any Meaſures were taken to prevent their entering into the Service of Cheit Sing, or into the Country in that armed Manner?

A. I do not know that there were.—There was a Reſident, and a commanding Officer of the Forces, whoſe more immediate Office it was to inſpect Cheit Sing's political Conduct.

Q. Whether you informed your Commander in Chief of theſe Appearances, and the Apprehenſions you grounded upon them?

A. I did not, it was notorious; the Commanding Officer muſt have been as well acquainted as I was with the Reports prevailing with reſpect to Cheit Sing.

Q. Of your own Obſervation, or by Report, that you ſpeak of thoſe Bodies of armed

them. The Road was not above Twenty Yards from the Front of my Tent.

Q. Did you never aſk any Queſtions about them?

A. I did very frequently.

Q. What Anſwer did they make?

A. That they were coming to Cheyt Sing for Service.

Q. Who was preſent at that Enquiry?

A. Sometimes the Moonſhy, ſometimes nobody.

Q. Is it not common for Adventurers, from every Part of India, to go into the Territories of the Princes there, and to offer them their Services?

A. I believe it is where their Services are required.

Q. Are not Sepoys often recruited from many Parts of India?

A. I cannot ſpeak to my own immediate Knowledge of that.

Q. Do they not come and offer, and have you not heard, that Adventurers from various Parts of India come to offer, to ſerve in the Company's Sepoys?

A. I never heard that the Company's Sepoys in general were recruited but from their own Provinces, and the Nabob of Oude's Dominions.

Q. Whether you know a Nudjeeb when you ſee him?

A. Exceedingly well.

Q. Whether the Nabob of Oude had not many Nubjeebs in his Service?

A. Sujah Dowlah had a Corps of 4,000 Men, as I have heard, of that Deſcription; they wore a uniform Coat in the Perſian Manner, and lined with yellow. On the Diſturbances which took place in Oude on the Death of Sujah Dowlah, I was told that his Son diſbanded this Corps, and that they were employed, many of them, among the Jaghiredars and Aumills deputed upon the Government of Oude.

Q. Whether, or no, you know, or are ſure, that the Nabob of Oude retained no Nudjeebs in his Service at the Time you ſpeak of?

A. I am not.

Q. Whether you have any Reaſon to know, and can poſitively ſay, that the Begums entertained any Body of Nudjeebs at all in their Service?

A. I ſuppoſed, from what the Nudjeeb ſaid in my Hearing, who had been brought in a Priſoner to the Battery at Patteeta, that they muſt have had in their Service that Body of 600 Men to which he belonged.

Q. Have you any other Reaſon to believe that the Begums had a Body of 600 Nudjeebs in their Service?

A. I have heard that the Begums did entertain Bodies of Men.

Q. The Queſtion is, as to Nudjeebs?

A. With Reſpect to the Nudjeebs, I only know it from this Man's Depoſition, and from Engliſh Officers who ſerved in Oude.

Q. Whether you do not know, that the Nudjeebs are a Species of Soldiers of a higher Order, more eſteemed, and better paid in general, than the Sebundy and other ordinary Troops in that Country?

A. The Nudjeebs were always mentioned as a ſelect Body of Troops.

Q. In what Language did this Man tell you, that he was employed by the Begums to ſerve Cheit Sing?

A. He mentioned it in the common Language of that Country, the Mooriſh Language.

Q. When he mentioned that, in the common Language of the Country, what was the Converſation that led to it;—and did you aſk him, or did he voluntarily tell you?

A. Upon this Man's being brought into the Battery, the People in the Battery collected about him, to hear what he had to ſay. I at the Time had a Groom in my Service, who had been a

Nudjeeb, and who always inſiſted upon wearing the Uniform of it. This Man's Uniform, who was brought into the Battery Priſoner, was one of the Circumſtances that firſt induced me to go up to hear what he had to ſay. Who firſt aſked him the Queſtions, I do not recollect; it was not me.

Q. Did he tell, on ſaying he was employed by the Begums, who employed him?
A. He ſaid he was ſent by the Begums, with a Body of 600 Nudjeebs, to which he belonged, from Fyzabad, and that they received Two Rupees before they ſet off to Cheyt Sing's Aſſiſtance.

Q. From whom did they receive the Two Rupees?
A. His Expreſſion in the Mooriſh Language was, from the Begums.

Q. Did he mean from their own Hands?
A. I don't ſuppoſe the Man could poſſibly mean, that he poſitively received the Money from the Begum's own Hand.

Q. Who did he ſay he received it from, and who gave him Authority to ſerve Cheyt Sing?
A. The Man's Expreſſion in the Moors was, "I got Two Rupees from the Begum."

Q. When you examined him ſo much, why did not you aſk him from whoſe Hands he got it, as he could not poſſibly receive it from the Hand of the Begum?
A. I never once thought ſuch a Queſtion neceſſary, nor did I go to hear any Thing the Man had to ſay with reſpect to the Begums. As a Proof of the Aſſiſtance Cheyt Sing had received from them, I was, from the previous Notoriety of the Fact, ſufficiently convinced of it.

Q. What previous Notoriety of the Fact?
A. Whenever the Extent of Cheyt Sing's Meaſures were mentioned, they ſcarce were ever mentioned by any Body, without the Begum's being a Party in them.

Q. Whether any other Nudjeeb of this Corps of 600, happened to be taken, or was enquired about?
A. I do not underſtand the Queſtion.

Q. (*by a Lord*) Whether any other Nudjeeb was taken, except this Man with whom you converſed?
A. The Morning the Town was ſtormed, the Converſation of the Camp ran a good deal on the Pleaſantry of another Nudjeeb, who had received Two Wounds, and remarked ſhortly after he received them, that he had only received Two Rupees from the Begum, for them.

Q. What became of thoſe Two Men?
A. The laſt I did not ſee, the other was ſent up to Camp.

Q. Do you know what became of him, or whether any Enquiry whatſoever was made about him?
A. After he had given the Account of himſelf, which I have been delivering, he was ſent to the Camp to Major Popham.

Q. Do you know what became of him?
A. He was ſent from the Battery up to Camp.

Q. Do you recollect the Date of this Converſation?
A. It was the Evening after we opened our Attack upon the Town of Patteeta; I believe it was the 18th September, I am not poſitive.

Q. Whether, or no, you did not hear that Sir Elijah Impey was taking Evidence and Affidavits upon all thoſe Subjects, in Benares and Oude?
A. I did.

Q. Whether you heard how it came to paſs, that neither this Nudjeeb, or any other was produced at either of thoſe Places?
A. If any Body had then aſked me for ſuch Depoſitions, as a neceſſary Evidence of the Aſſiſtance Cheyt Sing had received from the Begums, I ſhould have thought that they were [illegible]

The Managers for the Commons deſired the Queſtion might be read; the Queſtion was accordingly read by the Clerk:

A. I know nothing at all about them.

Q. Did you not hear, that one Mordelait made an Affidavit?
A. I did.

Q. Whether you have not read this Mordelait's Affidavit?
A. It was given to me the other Day by one of Mr. Haſtings's Counſel, who deſired I would recollect, if that was the Subſtance of what Mordelait told me at Lutteefpoor.

Q. Whether,

Q. Whether, or no, from your Knowledge of the Nature of a Nudjeeb Battalion, they would be likely to go, for Two Rupees a Man, to ſerve in a remote Country, far from their uſual Place of Quarters?—Whether you think Two Rupees ſufficient for the Proviſion of a Nudjeeb during a Campaign?

A. I do think that a Nudjeeb or any other Hindoſtan Soldier, not ſubject to the rigid Diſcipline of the Europeans, would for Two Rupees go a very great Diſtance, and maintain themſelves with it many Days, for that Money would procure them 150 lb. Weight of common Grain in ſumption in that Country.

om your Knowledge of a Nudjeeb Battalion, whether this was the Kind of Pay the ve to his Nudjeebs even upon ordinary Occaſions?

not know what the Nabob Sujah Dowlah allowed the Nudjeebs, but I know that ees a Month is very common Pay to Hindoſtan Soldiers, among the Country Powers.

Whether they do not engage with them for higher Pay, if they are Soldiers of Credit and acter, than the Company does?

A. I never underſtood or heard of any Native Power giving as much to a Foot Soldier, as the Company give to their Sepoys.

Q. The Queſtion is as to a Nudjeeb?

A. Not my Knowledge.

Q. Had any Thing been ſaid to this Nudjeeb, when he was brought into the Battery, about the Begums before he gave his Account of being ſent by the Begums?

A. Moſt certainly not a Word; I am ſure that I was preſent during the Whole of his Converſation, and that I went up to him as ſoon as any Perſon in the Battery.

Q. (*by Managers.*) Do you recollect who began the Converſation?

A. I do not recollect the Name of the Perſon who began the Converſation.

Q. Do you recollect the Manner of beginning it?

A. I recollect the Manner of the Nudjeeb beginning it.

Q. Whether the Nudjeeb began the Converſation?

A. The Nubjeeb did not begin the Converſation till he was aſked who he was, where he came from.—I knew him to be a Nudjeeb from his Uniform.

Q. Who interrogated him, or aſked him?

A. I do not recollect; there were ſeveral People about him at the Time.

Are you ſure he was not aſked any leading Queſtion?

Upon my Arrival in England, in the Year 1787, Mr. Haſtings, knowing that I had been hat Station at the Battery, ſeemed to give a great Importance to what I have been laying Court.—From that Circumſtance, I did particularly attend to what the Nudjeeb more ſo, as I ſtood there more diſtinguiſhed than any of the People about him, ion to him, from whence he came?

as you called firſt to recollect the Circumſtance of that Converſation with the

A. In England.

Q. How many Years after the Converſation had paſſed?

A. In England in 1787;—but ſeveral Years previous to that, thoſe Subjects had been frequently ked over, while I remained in the Zemindarry of Benares.

Q. Then, you was not called upon to make any Affidavit?

A. I believe I was at the Seige of Bidgegur, when thoſe Affidavits were taken, but I never was called upon, nor did I communicate it to Mr. Haſtings; nor did I think it material or eſſential to the great Queſtion, that the Begums were concerned, for there was no Doubt about it.

Q. Whether you did not hear that Mr. Haſtings was directed, before he left India, by the Court of Directors, to make an Enquiry into that very Matter.

A. I really never did hear it.

Q. (*by a Lord*). You ſaid, you ſaw a great Number of armed Men paſs by when you was encamped; is it the Cuſtom in India for any large Bodies of armed Men to offer themſelves to the Service of a Prince, ſuch Prince being then in an acknowledged State of Peace, and no Rumour going abroad of ſuch Prince being upon the Eve of engaging in War?

A. I never did hear that it was cuſtomary for Military Adventurers, at leaſt that it was generally ſo, to offer themſelves in large Bodies.

Q. The Queſtion does not mean 5,000 or 6,000, but 20, 30, 40, 50, 100, or 200?

A. I cannot ſpeak to it.

Q. When

Q. When they are in Peace?

The Witneſs deſired the former Queſtion might be read.

The ſame was accordingly read by the Clerk, as follows:

'Q. You ſaid you ſaw a great Number of armed Men paſs by when you was encamped; is it 'the Cuſtom in India for any large Bodies of armed Men to offer themſelves to the Service of a 'Prince, ſuch Prince being then in an acknowledged State of Peace, and no Rumour going and 'of ſuch Prince being upon the Eve of engaging in War?'

A. When I ſpoke of large Bodies, I meant the ſmall ones I ſaw coming daily into the Country, when collected.

Q. What were the Numbers of the ſmall Bodies, which you ſaw paſſing by together?

A. They were 4, 5, 6, or 10; I do not know that there were more than 10 or 12 together, that I recollect, at a Time.

Q. Whether ſuch a Number paſſed by your Station as could expect to find Employment, without that Prince was going to undertake ſome Kind of War or Enterprize?

A. I don't think that the Number collectively, that I ſaw paſs by, would have come for Service, unleſs it was to a Perſon meditating ſome Enterprize.

Q. Whether you think that the Quality of that Ammunition, taken from Cheit Sing, was ſuch as he could make up in his own Country; the Grape Shot, and others that you deſcribe?

A. The Grape Shot was not ſuch as I had ever ſeen made up, in any Country Stores.

Q. Whether you do not apprehend, if he had it not from the Company, that he muſt have had it from the French?

A. At the Time, it was mentioned by ſome of the Artillery Officers as French Shot: I do not know it myſelf.

Then the Witneſs was directed to withdraw,

Then the Houſe adjourned to the Chamber of Parliament.

Die Jovis, 7° Junij 1792.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said;

"Gentlemen, you who are of Counsel for the Defendant may proceed in his Defence, and the Lords will be pleased to give Attention."

The Counsel for the D[illegible]t desired Permission to call Mr. Markham, for the Purpose of explaining a Paper printed in the Minutes, respecting a Matter of Account.

Mr. Markham was accordingly again called in, and the printed Minutes being shewn to the Witness, he said;

In Page 1750 is the Paper I mentioned as having received, translated from Durbidjey Sing's Papers, but the Clerk did not understand that this was the only Paper I spoke of, and there are other Accounts pri[illegible] that I cannot vouch with that necessary Precision that might be expected. The other Papers [illegible] Page 1751; one is a comparative Statement of the Revenue of Cheit Sing and Durbi[illegible]; and with respect to Cheit Sing's Revenue I cannot answer; and I believe there has been a Mistake in the Statement by my own Clerk, as he has put "gross Jumma" instead of "net Jumma;"—and in Pages 1752 and 1753, are only an unfinished Statement of the Kistbundy of Jagger Deo Sing.

Q. Does that Paper, of the comparative Statement of Cheit Sing's Revenue, contain an Account [illegible] Whole Zemindary, or only of particular Districts in that Zemindary?

[illegible] the Pergunnas are not in it.

[illegible] *Managers*). Whether you have any Papers that will serve as a Supplement for these [illegible]

[illegible] rected to withdraw.

[illegible] Counsel [illegible] Defendant stated, That the Benares Narrative, and the Appendix [illegible] having been given in Evidence by the Managers for the Commons, though [illegible] Whole was not read by them, they requested that such Parts as were not read by [illegible] Managers, or by themselves on the Part of the Defendant, might now be referred to as Evidence on the Part of the Defendant.

The Managers for the Commons objected.

The Managers for the Commons were informed, That there could be no Doubt of the Propriety of the same being read, subject to such Observation as might afterwards be made upon it. (*a*)

Then, the Counsel for the Defendant desired, That Lieutenant John Grey might be called in.

Accordingly Lieutenant JOHN GREY was called in, and being sworn, was examined as follows:

Q. Was you in the Military Service of the East India Company in the Year 1781?
A. I was.

(*a*) See the Benares Narrative and Appendix supra, from Page 109 to 269.

Q. In what Part of India was you ſerving in the Beginning of that Year?
A. In the Beginning of that Year I was in Fort Guallior;—from the Commencement of June, for Three or Four ſucceſſive Years, I was in the Zemindary of Benares.

Q. Do you mean Years preceding, and including, the Year 1781?
A. The ſucceeding Years of 1782, 1783, and 1784.

Q. Was you ſerving in the Detachment under the Command of Major Popham?
A. I was.

Q. At what Time was you at the Fort of Guallior?
A. From Auguſt 1780 till the Time the Fort was relinquiſhed and given up to [illegible] of Gohud.

Q. You repreſented yourſelf as having been at the Fort of Guallior?
A. Yes.

Q. At what Time?
A. In the Beginning of the Year 1781.

Q. To the Time the Fort was given up to the Rannah of Gohud?
A. Yes.

Q. And you continued with Major Popham, in the Zemindary of Benares, from that Time downwards?
A. Yes.

Q. Was you ſtationed at the ſame Place with Mr. Wade?
A. I was.

Q. What did you obſerve with reſpect to any Men coming into the Country?
A. In the Camp at Mirzapore, I had repeatedly Occaſion to obſerve ſmall Parties of armed Men coming from the Weſtward, upon the Road to the capital Ford over the River Ganges, which communicated with Benares.

Q. Did this frequently happen?
A. Repeatedly.

Q. Of what Numbers might thoſe Parties conſiſt?
A. They rarely exceeded Seven or Eight Men.

Q. Did you and Mr. Wade then converſe upon this Circumſtance together?
A. We did.

Q. Was you at Benares after the Troubles broke out there?
A. I was not at Benares till the Month of January 1782; every Thing [illegible] Time, and long before.

Q. When you ſpeak of theſe Men, were they formed Soldiers or Recr[illegible]
A. They were dreſſed in the Country Stile of the Military Dreſs, arm[illegible] Sabres, and ſome with Spears—they appeared to be of the fighting Caſt [illegible]

Q. Where was you on the 20th or 21ſt of Auguſt 1781?
A. I was with the Detachment under the Command of Captain Mayaffre, in the unſu[illegible] Attempt upon Ramnagur.

Q. Who were the Officers that commanded upon that Occaſion?
A. Captain Mayaffre commanded the Detachment, and Captain Doxat the Corps I ſerved in—they were both killed.

Q. Was you yourſelf wounded upon that Occaſion?
A. I was.

Q. Did this prevent your ſerving afterwards at the Siege of Bidjeygur?
A. I was for about a Month confined in the Fort of Chunargur, recovering [illegible] Wound I had received at Ramnagur.

Q. When recovered, did you ſerve at the Siege of Bidjeygur?
A. I did.

Q. Did you there ſee Lieutenant Wade?
A. I did.

Q. Did Lieutenant Wade then mention to you, any particular Circumſtance [illegible] to Nudjeebs?
A. Lieutenant Wade did repeatedly—

Q. What?

Q. What?

A. That ſome Nudjeebs had been found at the Attack of the Batteries and Fort of Pateetah, One or Two of whom had been wounded; and that they had declared, they were a Party ſent by the Begums to the Aſſiſtance of Cheit Sing.

The Managers objected.

The Queſtion was waived.

Q. Was you in the Camp at Bidjeygur?

I was.

Q. Was there in the Camp, at that Time, any general Report with reſpect to the Affection or [illegible]ction of the Begums to the Engliſh Nation?

A. I frequently heard the Subject of the Aſſiſtance ſent by the Begums, in this ſpecified Aid of [illegible]djeebs, aſſerted, and never heard it at all doubted.

Q. What became of you after the Capture of Bidjeygur?

A. I returned to Chunargur, where the Corps, I belonged to remained ſtationed for about Two Years.

Q. During the Time you was in India, as far as you had an Opportunity of collecting the Senſe of the Natives, in what Eſt[illegible]nation was the Character of Mr. Haſtings held by them?

A. In the higheſt Eſtim[illegible]by the Natives, whoſe Manners and Cuſtoms he was moſt particularly obſervant of; and [illegible]ate the Natives, it is indiſpenſibly neceſſary to attend to their Prepoſſeſſions, ariſing either from Caſt or Prejudice.

Q. You having ſpoken of the Natives, in what Eſtimation was Mr. Haſtings held by the Army in general, with whom you ſerved?

A. By the Army in general he was moſt particularly eſteemed, as the Addreſſes, ſuperſcribed by a moſt numerous Body of Officers, evinced, at a Period when Mr. Haſtings was quitting his Govern[illegible]

Croſs examined.

Q. Whether it is not uſual for the fighting Caſt, that you allude to in your Evidence, to go into various Parts of India to ſeek Service?

A. I ſhould ſuppoſe ſo.

Q. Whether you know, of your own Knowledge, that theſe Perſons, who ſo ſought Service, were actually taken into the Service of Cheit Sing?

A. I do not.

Q. [illegible]ere did they go?

A. [illegible]e in the direct Way to the Capital of Benares, beyond which Country there was [illegible]pany's Provinces in that Direction.

Q. [illegible]npore is not a great Gangway, both of Commerce and Travelling, from the [illegible]art of India?

A. [illegible]e great Route to and from the Decan, from the Weſtern Part of India.

Q. Whether you gave Notice to your Commander in Chief, of your Obſervation relative to the paſſing of theſe ſmall Bands of the Military Caſt?

A. That I did not.

Q. Whether, in the Caſe of the remote Stations of ſeveral of the Company's Troops, placing the Commanding Officers beyond the Notice and Controul of the Board, afforded too much Opportunity and Temptation for unwarrantable Emoluments, and excited the Contagion of Peculation and Rapacity throughout the whole Army; whether you are of Opinion, this Character is juſtly to be attributed to the Army ſerving in India in the Year 1781?

The Counſel for the Defendant objected to the Queſtion.

Q. (*by a Lord*) Was, or was not, a Spirit of Peculation and Rapacity prevalent in the Army in the Year 1781?

A. I was in the Zemindary of Benares during the latter Part of that Year, the Troops ſerving in which had fallen very much in Arrears—thus ſituated, the Emergency of the Rebellion of the Zemindary of Cheit Sing aroſe; the Troops, upon this Occaſion, moſt zealouſly, under the Inconvenience of Want of Pay, did their Duty to the utmoſt.

The Queſtion was repeated.

A. A very large Portion of the Army, ſtationed at Cawnpore, were brought down the Country, on the ſame Service with thoſe in the Zemindary of Benares; they alſo moſt zealouſly united their Aids in Furtherance of the public Cauſe, and I am apt to think that they were under the ſame Circumſtances,

cumſtances, of want of Pay, with our original Detachment. In a well regulated State, no Part of it is from under the Controul of its immediate Government: Therefore, although ſome of the Military Stations were at the prodigious Diſtance of near 1,000 Miles from the Preſidency, Orders were circulated, and obeyed, in thoſe remote Stations, with as much Deference as if under the immediate Eye of the effective Government. At preſent, I have not the Honour of belonging to the Service I did belong to; but I have the moſt perfect Conviction, that no Body of Men are more actuated with Patriotiſm and Zeal for their Country, from which they come, than are thoſe Officers who ſerve in thoſe diſtant Countries. I refer to the Hiſtory of the ſeveral Wars that have taken place in thoſe Countries.

Q. (*By a Lord.*) The Queſtion now put to you is, whether the Contagion of Peculation Rapacity was prevalent in the Army, according to your Knowledge and Obſervation of it?
A. According to my Knowledge, not at all.

Q. From whom did you hear, that the Begums gave Cheit Sing Aſſiſtance?
A. I heard it from Mr. Wade, on the Circumſtance of the Nudjeeb's being ſent to Cheit Sing Aſſiſtance.

Q. You ſaid, it was a general Report, prevalent in the Country, that the Begums gave that Aſſiſtance; did you give yourſelf the Trouble to aſk, what poſſible End or Object the Begums could have, in giving ſuch Aſſiſtance to Cheit Sing?
A. It did not occur to me to aſk.

Q. You have ſaid, you ſaw ſmall Parties of armed Men movi[ng] the Country of Cheit Sing, did you ever remark or obſerve their Return from that Country?
A. I did not.

Q. Whether you was in a Way, in a Situation, to know whether they did or did not return?
A. I was in Camp at Mirzapore.

Q. How long did you continue at Mirzapore, after you had made this Obſervati[on]
A. The Camp lay at Mirzapore upwards of Two Months, and in the co[urſe of] time, theſe repeated Inſtances occurred, of armed Men, in ſmall Bodies, paſſing th[rough] the other Way.

Q. Whether you ſtaid long enough there after it, to know whether, if they had been refuſed the Service of Cheit Sing, they might not have returned?
A. I certainly did; I ſtaid Two Months. Benares is a very ſhort Diſtance from Mirzapore, and if they had not met with Service, they had full Time enough to return; it is not above One Two Days Progreſs from Mirzapore to Benares.

Q. At what Time did you obſerve the laſt of theſe Detachments going forward; how ſo[on] the Time of your quitting the Station of Mirzapore.?
A. I did not notice it.

Q. What Time did you notice the Firſt of their coming?
A. The exact Day of the paſſing of the Firſt I did not note, but the I[nſtances] frequently.

Q. Do you know the Time of your laſt Obſervation?
A. No, I do not.

Q. Whether you know for certain, that though they were refuſed Service from Cheit Sing they might not go afterwards to the Northward, to ſerve other Powers who might have Occaſi[on] for their Service?
A. To the Northward of Benares?

Q. To the North or Weſt?
A. To the Northward of Benares there are only the Begums, and Futtyſaw, who is [on] the Northward of Benares.

Q. Did you ever hear of ſuch a Perſon as the Nabob of Oude?
A. I did.

Q. Did you ever hear of ſuch a Perſon as Nudjeeb Cawn?
A. I did; Nudjeeb Cawn's Country lies about the North-north-weſt of Benares. [Thoſe] going to Benares, with a View of ſerving in Nudjeeb Cawn's Troops, would have gone [about] 300 Miles out of their Way.

Q. Being refuſed Service at Benares, and going afterwards to Nudjeeb Cawn, muſt [they] neceſſarily have gone 300 Miles out of their Way?
A. Having come from the Weſtward, it muſt be making a very great Angle, and [the] Diſtance, I believe, muſt be near 300 Miles.

Q. (*by a Lord*) Suppoſe they had gone from Benares to Nudjeeb Cawn, would they have paſſed by Mirzapore neceſſarily?

A. Mirzapore would have been a circuitous Way; but there is a Road to the Northward of the River, which is called the King's Road, and is the Road frequented by Travellers, from Delhi, into the Bengal Provinces.

Q. Then, you do not think it was abſolutely neceſſary for them to go through Mirzapore, in their Progreſs, if denied Service of Cheit Sing, to any of the Northern Chiefs?

A. There are Two Ways. I have already ſaid, the one to the Northward, the other to the Southward; the one by Mirzapore, the other by the King's Road.

Q. Why do you chuſe, in mentioning thoſe Northern Powers, to which they might be ſuppoſed [illegible] o mention the Begums and Futteh Saw only, and to paſs by the Vizier, and the other [illegible] vers in the North?

A. [illegible] ween Benares and Fyzabad, the Reſidence of the Begums, there is no Country but the [illegible] id that is not the direct Road to Lucknow, where Troops are hired for the Nabob's

Q. Why do you mention th[illegible]ns and Futteh Saw only, and take no Notice whatſoever of any of the other great Norther[illegible]rs to which they might go?

A. They might have gone [illegible] Mountains; but it would have been very much out of the Way.

Q. Whether, from Ben[illegible] be ſuppoſed to go to offer themſelves to the Service of the Nabob, as well as th[illegible]

A. They certainly might, if t[illegible] choſe to go Two Sides of a Triangle, inſtead of One.

Q. Why do you think the Begums had an Inclination to inliſt them at all?

A. I have never ſaid they did inliſt them.

Q. (*by Counſel*) Whether, during the Time you was ſtationed at Mirzapore, you ever ſaw armed Men [illegible] Number of Seven or Eight, occaſionally going out of the Zemindary of Benares?

[illegible] Time an Officer in the King's Service, or in the Service of the [illegible]mpany?

A. In his Maje[illegible] Service.

[illegible]en the Witneſs was directed to withdraw.

[illegible] Counſel for the Defendant deſired Colonel Popham might be called.

[illegible]Colonel POPHAM was called in, and being ſworn, was examined

[illegible]id you ſerve in the Service of the Eaſt India Company?

[illegible]reſign that Service?

[illegible]the Year 1784.

[illegible]d you Occaſion, during the Time you was in India, frequently to paſs through Benares, [illegible]ſerve the State of that Country?

[illegible]en to paſs;—not much to obſerve the State of the interior Country.

Q. Had you any Opportunity of obſerving the State of Cheyt Sing's Forts and Army?

A. Little, or not at all, till I was employed againſt him.

Q. Being employed as you was, in the Year 1781, in principal Command againſt Cheit Sing, in what Situation did you then find his Forts and Army recently to have been?

A. His Forts were in very good Condition; they were plentifully ſtored with Proviſions and warlike Stores; his Armies were in greater Numbers than I had ever heard of their being before.

Q. Did this State of thoſe Preparations, as obſerved by you, indicate any Purpoſe of immediate Hoſtility?

A. In my Idea it did.

Q. Did you obſerve the State and Condition of his Grape Shot and Caniſter Shot, and did they appear to you to be of European Manufacture?

A. I had Two or Three Occaſions of obſerving them, and they appeared to be of European Manufacture—the Quilted Grape particularly.

Q. Did they appear to be of Britiſh or Foreign make?

A. I cannot well ſpeak to that; it is a long Time ſince.

Q. To what Number did the Troops aſſemble under Cheyt Sing, when in their greateſt Number?

A. I frequently ſaw great Numbers of them, I might have ſeen at one Time 400, 500, or 600. But I know from Accounts, and from Circumſtances, that there muſt have been a much greater Number in different Parts of the Country with Cheyt Sing, and in his Garriſon and ſtrong Holds.

Q. The Number ſtated in the Narrative, and given in Evidence by the Managers, make the groſs Amount of thoſe Numbers about 40,000 Men of every Deſcription, do you think, from the Information you was able to collect at the Time, That Cheyt Sing had any ſuch Quantity of Force altogether?

A. I do believe he had, becauſe I believe the Amount mentioned in the Narrative partly came from myſelf, and partly from the Intelligence Mr. Haſtings himſelf got.

Q. Had you any Means of knowing, whether Cheyt Sing encouraged, or had it in [illegible] in any Manner to check, the Maſſacre at Shewallah Ghaut?

A. I ſhould imagine, had Cheit Sing been held in Eſteem and Authority by his [illegible] by h[illegible] he certainly might have prevented it.

Q. [illegible] know of any Means uſed by Cheit Sing, [illegible] urpoſe of either preventing it, or checking the Effects of it, and the conſequent Confu[illegible]e Country after that Event had happened?

A. I never heard he did.

Q. What was the immediate Effect of that Ma[illegible]ry, and the Britiſh Intereſt in that Country?

A. Certainly it diſturbed the whole Country; and Cheit Sing collected all his Troops and People of his Country together, to defend himſelf, after what he had done.

Q. Had you any Means of knowing, whether Cheit Sing received any conſiderable Military Aſſiſtance, during the Rebellion, from any Native Powers in India, and particularly from the Begums.

A. I underſtood that he had Aſſiſtance from the Begums, from ſome C[illegible]

Q. Was that the prevailing Opinion of the Britiſh Camp at the T[illegible]

A. It was.

Q. Did you yourſelf ſee any of thoſe Nudjeebs, in the Country of Ch[illegible]g?

A. I ſaw ſeveral of them againſt us, upon the taki[illegible]g of Patteeta. Afte[illegible] was quiet in about the Camp, I went to ſee the Place, and, on the Inſide of the Wall, I ſaw a wounded jeeb: I aſked him, who he was; he gave me to underſtand, that he was a Nudjeeb, ſen[illegible] Begums, and was one of a Party of 700, that had been ſent by the Begums the Day b[illegible] is, that he had arrived the Day before; that he had received Two Rupees; that he [illegible] Days in the Service—that is, there;—and had received Two Wounds. The Mooriſh is I ordered him to the Hoſpital; whe[illegible] lieve, till he recovered, and was diſmiſſed—as I generally ſent all the [illegible] wounded, to the Hoſpital, in order that they might be taken care of. [illegible] then I directed them to be diſmiſſed.

Q. Do you know whether this Man, was the ſame Man who had [illegible] by Captain Wade?

A. I cannot ſpeak to that.

Q. Was Captain Wade an Officer in your Corps at that Time?

A. I cannot ſpeak to that particular Queſtion, becauſe I underſtand there were [illegible] them.

Q. Had you an Opportunity of obſerving, whether the principal Part of the Troops ſerving under Cheit Sing were new Levies, or Troops that had been long in the Ser[illegible]

A. Great Numbers of them ſeemed to be, for the moſt Part, new Levies.

Q. Are you ſufficiently acquainted with the Cuſtoms and Manners of the Indoſtan, to ſay whether it is a Mark of Reſpect, on the Part of an Inferior, to viſit his Superior to meet him, with a large Military Force, Part of that Force being conveyed in Boats filled with armed Men, and the other Part attending ſuch Inferior upon the Sides of the Shore, along which he was proceeding in his Boat.

The Managers for the Commons objected to the Queſtion.

Q. Whether an Attendance, under ſuch Circumſtances, was reſpectful or otherwiſe?

A. By no Means reſpectful, as far as I underſtood.

Q. You had frequent Opportunity during the Diſturbances at Benares, to ſee and converſe with Mr. Haſtings—Did you, in all thoſe Opportunities of Converſation with him, diſcover any Thing that indicated Malice towards Cheit Sing, or a premeditate Purpoſe to ruin him?

The Managers for the Commons objected to the Queſtion.

Q. Did any Fact fall under your Obſervation, proceeding from Mr. Haſtings, that indicated Malice towards Cheit Sing?

A. Not in the leaſt; the very Reverſe.

Q. Have you any Means of knowing, whether the Troops in the Service of Cheit Sing, who were aſſembled near Shewallah Ghaut, after the Arreſt of Cheit Sing, were ſo aſſembled there, in conſequence of Orders, or reſorted there in ſuch Numbers by mere Accident?

A. I ſhould ſuppoſe, that they rather reſorted there in conſequence of Orders, than by Accident.

Q. You arrived at Shewallah Ghaut after the Maſſacre—did you obſerve any other Deſcription of Perſons there but armed Men?

A. None—none [illegible]en.

Q. Whether, at [illegible] of Shewallah [illegible] opinion [illegible] Haſtings could, with Saf[illegible]ſt in [illegible]s of accommodation with Cheit Sing,

A. I t[illegible]

Q. If Mr. Haſting[illegible]at Effect do you apprehend it would have had on the Spirits of the Army of the Native Soldiers, and upon the Minds of the Country Powers of India?

A. It would have depreſſed the Spirits of the Army moſt undoubtedly, in my Opinion, and it would have been derogatory to the Intereſt of the Britiſh in that Country.

Q. Did you know of any ſubmiſſive Letters, written by Cheit Sing to Mr. Haſtings, and was you Judge for what Purpoſe thoſe Overtures were circulated?

A. [illegible]ſome myſelf, to intereſt myſelf [illegible]with Mr. Haſtings; but I conceived [illegible]re meant merely to amu[illegible]

[illegible]r, whether Panna [illegible] of the Garriſon of Bidjegur, in the [illegible]

A. [illegible]es to me from Bidjegur, w[illegible]de from her.

Q. Did ſhe give Orders, and exerciſe the principal Authority within that Garriſon?

A. From what I have ſaid before, I ſuppoſe ſhe muſt.

Q. Was that Fortreſs, do you know, the Place of her ordinary Reſidence, or was ſhe there only [illegible]e the Troubles had broke out, having reſorted there as to a Place of Security?

A. [illegible]ve ſhe was there in conſequence of the Troubles merely—I do not believe it was her [illegible]Reſidence in Time of Peace.

Q. [illegible]late, in what Condition of Strength you found the Fortreſs of Bidjegur; deſcribe [illegible]Circumſtances that conſtituted its particular Strength?

A. [illegible]rt, upon a very high Hill, and an Enemy could not, without ſome Difficulty, [illegible]d it ſuch; even when our Batteries were made, we had ſome Trouble in [illegible]ang a[illegible]ch, or any Way for the Troops to enter, and were obliged to apply to a Mine for [illegible]at Purpoſe.

Q. What length of Time was neceſſarily occupied in the Siege of that Place, before the Surrender of it?

A. I believe, about a Month or Five Weeks.

Q. Was the Capture of that Fort an Operation,—a military Operation, of conſiderable Difficulty?

A. In my Opinion it was.

Q. How did you find that Fortreſs, upon its Capture, ſupplied in Articles for its Defence and Proviſion?

A. There was a great Quantity of Proviſions and Stores in the Fort, a very large Quantity indeed of Grain, ſo much as to ſurpriſe us all.

Q. Was it ſupplied in ſuch Manner as to be capable, in reſpect of Stores and Proviſions, to have endured a Siege of much longer Continuance?

A. Moſt undoubtedly it was, as I think there were more Proviſions, than the People who were in there could conſume in Six Months.

Q. It is ſtated that Panna, after the Capture of Bidjegur, experienced ſome Degree of perſonal Inſult and Injury at that Place;—ſtate the Circumſtances of that Tranſaction, as far

far as they fell within your Knowledge, and to what Extent they exiſted, and to what Cauſe attributed?

A. When the Women came out of the Fort, the Officer commanding there, directed all the Out-poſts to be withdrawn; but One was omitted, where there was an Officer with ſome Sepoys. The Officer commanding in the Fort, directed that the Women ſhould be attended with a Guard of Sepoys, to protect them to that Situation which I had appointed for their Reſidence; they, unfortunately, went by this Poſt that had not been withdrawn; the Officers, not having received the Orders, ſtopped them, and took ſomething from them,—what, I cannot tell. Upon hearing it, I ſent an Officer, who was in my own Family, directing he would ſee them redreſſed, and that the Officer, whoever he might be, ſhould be ſeverely reprimanded by the Commanding Officer of the Corps. The Officer, in conſequence, gave up, I believe, every Thing that he had got,—I am not clear as to the Spoil,—and he was ſent to the Commanding Officer, who, I believe, repri- manded him.

Q. Was the Offe[illegible]is given to Panna, the Reſult of Accident, or of any Orders given by Mr. Haſtings?

A. It could no[illegible]e been the Reſult of any Orders given by Mr. Haſtings, becau[illegible] never receiv[illegible] he preſent at the Time: It [illegible]ccident, occaſion[illegible] by the Off[illegible] Poſt, as I before [illegible]

Q. Th[illegible] Acc[illegible] at th[illegible] outrage, ſuch as it was, was [illegible]?

A. Entirely ſo.

Q. Having ſtated, that you receiv[illegible]rs from [illegible] produce any Inſult, or Outrage, towards the Panna; whether yo[illegible]er Orders of a very contrary Tendency?

A. I did. I believe I received more than One or Two Letters upon that Subject.

Then, a Paper was ſhewn to the Witneſs, and he was aſked,

Q. Whether that is not one of the [illegible]you received from Mr. Haſtin[illegible] Subject?

A. It is.

Then, the ſame was delivered in, [illegible]ollowing Extract w[illegible] ſame.

" Dear Major, " Benares, 30th September 1781.

" The new Rajah Myapnarain was this Day proclaimed, and inveſted in the Raage with great Form and Solemnity.

" I will apply to the Rajah for proper Perſons to take Charge of ſuch Tannah[illegible] your Hands.

" I am well informed of Cheyt Sing's Family being left in the Fort of Bidjygur: It [illegible] to recommend to you, what I know your own Humanity and Generoſity will ſuggeſt [illegible] their becoming your Captives: I therefore only deſire to intimate a Wiſh, that th[illegible] may be paid to them ſhould the Place be ſurrendered to you, and that you w[illegible] Protection, with a Solicitude that may ſhew that their Honor and Safet[illegible] our Regard; and this you will, I hope, be able to effect by the ſame M[illegible] to employ for ſecuring their Perſons, without any Treſpaſs on the Reſpect and [illegible] their Rank, and ſtill more to their Misfortunes. But it is indiſpenſable on me to [illegible] Hoſtages, for the Safety of Gopaul Doſs and other Perſons in the Rajah's Power, who have a[illegible] hered to us.

" I have already acquainted you with my Intention to reward the Conduct of Govind Jeet, agreeable to my original Promiſe, if it ſhould appear that he has brought the Aid he proffe[illegible] ſoon as it was in his Power. I am very deſirous of ſeeing him here, or at leaſt a Vake[illegible] him.

" A Lack of Rupees is ready here, and I wiſh to ſend it to you, but do not know h[illegible] tranſport it; either ſend for it, or inſtruct me how to ſend it to you.

" I am, dear Major,

Your obedient and faithful humble Servant,

Warren Haſtings.

Then the Witneſs was aſked,

Q. Upon what Day did they come out?

A. On the 10th of November.

Q. Was that a private Letter to you?

A. I believe it was a public Letter.

Q. Was

Q. Was it ever tranſmitted to the Board by you, or otherwiſe made public?
A. I do not know.

Q. After Panna left Bidjegur, to what Place were they conducted, and by whom?
A. To Benares, by Mr. Scott, who was Perſian Interpreter.

Q. Do you happen to know, whether Panna expreſſed a Wiſh to be attended by that Officer?
A. To the beſt of my Recollection ſhe did.

Q. Had you any Reaſon afterwards to know how Panna was ſatisfied with her Treatment, in the Courſe of her Conveyance from Bidjeygur to Benares?
A. I believe ſhe expreſſed great Thankfulneſs for our Behaviour towards her during the Time ſhe was with us, both to Mr. Scott, and to Mr. Markham the Reſident. And I think, about a Year [illegible] two afterwards, I cannot recollect exactly, I was ſent up the Country [illegible] to Scindia,—Cheit [illegible] ſent a Perſon, who came backwards and forwards from the Wome[illegible] to thank me for [illegible]are I had taken of the Women, and my Behaviour towards ther[illegible] themſelves [illegible]ſſage to the ſame Purport, [illegible] the ſame Perſon.

Q. Do you know, [illegible] ount of the Tr[illegible] as you can recollect?
A. I believe abo[illegible]

Q. Was [illegible] Sing had carried off any conſide[illegible]
A. I he[illegible] Fifty or Sixty Lacks of Rupees, others ſaid more, and [illegible] Bidjygur, where the Treaſure was, there were ſeveral empty Cheſts, which the Gentlemen ſeemed to think had been recently filled with Bullion, both Gold and Silver.

Q. Was [illegible] Sort of Treaſure foun[illegible] Bidjeygur principally Silver?
[illegible] Gold [illegible]ilver.

[illegible]on Silv[illegible]
[illegible] this T[illegible]

[illegible]her T[illegible]ygur, beſides the Treaſure

[illegible]wels [illegible] very fe[illegible]

Q. Of any conſiderable Value?
Of no conſiderable Value—except a Sword, and thoſe Beetle Boxes.

[illegible] the Articles, of which we have heard already, as having been ſent to Mr. Haſtings,

[illegible]

[illegible] Means of knowing to what Amount the Wealth of Cheyt Sing extended?
[illegible] Hearſay. I underſtood him to be worth upwards of a Crore of Rupees—

[illegible]ion of Perſons, from whom you had any Opportunity of col-

[illegible]Durin[illegible]r Reſidence in India, had you any Means of knowing, in what Eſtimation Mr. [illegible]gs wa[illegible]ith the Natives of that Country, with the Army, and with the Britiſh Subjects reſi[illegible]ent there?
A. I believe he was held in the firſt Eſteem by the Natives of the Country, as a Man of high Honour and Benevolence, and by the Army, in general, as an exceſſive good Servant to the Company and the Nation;—a Man, whom I myſelf would wiſh to ſerve under, or with, in Preference to any of my Acquaintance, in ſo high a Character and Station as he has been.

Croſs examined.

Q. As you have ſpoken of the Maſſacre at Shewallah Ghaut, whether you was preſent at that Scene?
A. I was not.

Q. Then, how do you know, that the Rajah might have prevented it, if he had pleaſed, otherwiſe than by your Conjecture?
A. I beg Leave to make the ſame Anſwer that I did to the Counſel upon that Subject.—If he had Authority, and was held in Eſteem by his People, he certainly had it in his Power to prevent it.

Q. If you have any other Means of knowing it, than by that hypothetical Conjecture?
A. None other.

Q. Whether

Q. Whether you have read the Affidavits concerning that Transaction, annexed to Mr. Hastings's Narrative?
A. I have read the Whole of them.

Q. Whether you recollect the particular Affidavit of Ruggoobur Sing, an orderly Sepoy, to Lieutenant Stalker?
A. I don't recollect the Names.

Then, the Deposition of Ruggoobur Sing, in Page 251, of the printed Minutes, the Deposition of Bishen Sing, in Page 250, and the Deposition of Shekeh Hossim Hoolla, in Page 249, of the same, were shewn to the Witness, and he was asked,

Q. Whether, [illegible] you believe these Affidavits contain a true State of the Case?
A. I beg Lea[illegible]rve, that I never had an Opportunity, I believe, of reading those [illegible] davits, till som[illegible] my Arrival in England.

Q. W[illegible] Affidavits, you were of [illegible] they gave a fair Acco[illegible] of the [illegible]
A. [illegible]

Q. [illegible] the Rajah's principal Relations, Serva[illegible] provoked at the putting their [illegible]
A. I should suppose it very nat[illegible]

Q. Whether you informed Mr. Hastings of those [illegible] concerning the Nudjeebs, and the Conclusion you drew from their Appearance?
A. I do not recollect I particularly spoke to Mr. Hastings of the Nudjeebs, because it was so universal an Opinion, and so well known a Fact in short, [illegible] they [illegible] there, by [illegible] and Gentleman, with the Army, that I [illegible] port o[illegible]

Q. Whether you did [illegible] pey [illegible] lecting Affidavits conce[illegible] Part[illegible]
A. I most undoubted[illegible]

Q. Whether you did not [illegible] olle[illegible] to the Crimination of the B[illegible]
A. I heard he was there to [illegible] vits [illegible] been th[illegible], and [illegible] can not say whether he went there for tha[illegible] Purpo[illegible]

Q. Whether you was applied to by any Person whatever, upon the Part of Mr. Hastin[illegible] tell what you knew upon that Subject, before Sir Elijah Impey, either at Ben[illegible] or in either Place, was any Application made to you for that Purpose?
A. None; never in India.

Q. Whether you do not know, that Mr. Hastings published, in India, a N[illegible] Affidavits annexed, which he declares himself to have published, to fre[illegible] upon that Subject, or to anticipate Charges upon that Subject?
A. I am not certain that I heard it in India—I left the Cou[illegible] Time I heard it, I think, to the best of my Recollection at [illegible] England.

Q. At what Time did you leave India?
A. In December 1784, I believe.

Q. Did not Mr. Hastings, before you left India, likewise publish an Answer to the Censures of the Court of Directors, upon the Subject of Cheit Sing?
A. I really don't know.

Q. Whether, at any Period of Time, during your Residence in India, you was applied to by Mr. Hastings, or any One, upon his Part, for your Evidence upon that Occasion?
A. I believe I have replied to that Question before.

Q. Did you, when you had this Nudjeeb in your Power, keep him for any further Examination relative to the Objects of your Conversation?
A. Not at all; I kept him merely for the Purpose of his Wounds being healed.

Q. Where did you find the wounded Nudjeeb?
A. I believe I have said withinside the Wall.

Q. Was he brought there from the Battery, or had he been wounded upon the Occasion of taking the Place?
A. I believe he must have been wounded upon the Attack of the Place, and might have been wounded perhaps near the Spot where I saw him.

Q. Whether

Q. Whether you, in thoſe Diſcourſes, have ever heard any Converſation, or given or heard any Opinion, concerning the Object which the Begums might have, in aiding Cheit Sing to overturn the Britiſh Government?

A. I cannot charge my Memory with it at preſent.

Q. Whether you had not heard it reported, that Saadut Ally, the Brother of the Nabob of Oude, was diſpoſed, at that Time, to excite Troubles, and to employ a Force, in Support of Cheit Sing's Rebellion?

A. I ſhould rather ſuppoſe not.

Q. Why not?

A. Becauſe the Hoſpital, when we retreated from Benares with our Troops, was left under [illegible] Charge.

Q. Whether you heard that ſuch a Report prevailed?

A. I cannot charge my Memory with having heard it.

Q. Have you read the [illegible] upon this Occaſion, anne[illegible]ive?

A. I mentioned be[illegible]ad them all [illegible] this Fact.

Q. Whether you [illegible]ould employ Nud[illegible]n Britiſh Auth[illegible]

A. Th[illegible]

Q. Wh[illegible]ews, might not be more likely to employ them?

A. T[illegible]

[illegible]valent, or a Report ſpread, that the Nabob himſelf to exc[illegible]ubles, upon the Occaſion of Cheit Sing's Revolt?

Me[illegible]

[illegible]ct?

[illegible]eeting with the Nabob at

A.

Q. Whether you have heard of Mr. Ha[illegible]king a Remonſtrance to the Nabob, or his [illegible]er, Hyder Beg Cawn, at Chunar, relative to the Aid of Nudjeebs, ſent by his Mother and [illegible]the Aid of Cheit Sing?

A. [illegible]ct it.

Q. [illegible]have not heard of an Affidavit, or a ſolemn Depoſition, made by Hyder Beg [illegible]bject of thoſe Troubles?

A. [illegible]Affidavits; and if it is among thoſe, I have heard of it.

Q. [illegible]not declare, that Hyder Beg Cawn——

The Counſel for the Defendant objected to the Queſtion.

Q. [illegible]you recollect, that Hyder Beg Cawn had declared, in that [illegible] and nothing but the Truth?

A. [illegible]collect having read theſe Affidavits, till my Arrival in England?

Q. Whether you recollect, that, in that Affidavit, he has declared the Truth, the whole Truth, and nothing but the Truth?

The Witneſs, looking at a Paper, ſaid,

A. I read it here.

Q. Whether you recollect, that there is any Mention whatever made, in that Affidavit, of any Share the Begums had in the Troubles of Benares?

The Counſel for the Defendant objected to the Queſtion.

Q. Whether you recollect, in ſuch Affidavit, to have found any ſuch Aſſertion concerning the Begums?

The Witneſs, looking at the Paper, ſaid,

A. I ſee nothing about the Begums in it.—Is this the Whole?

Q. Whether,

Q. Whether, if the Begums had entered into a Plot to overturn the British Government, through the Medium of Cheit Sing's Rebellion, and had ſent 600 or 700 Nudjeebs to the Aſſiſtance of Cheit Sing, Hyder Beg Cawn was not, from his Situation, as likely to know that Fact as any other Perſon?

A. I ſuppoſe he was as likely to know the Fact as any other Perſon; but I don't ſpeak as to the Affidavit.

Q. Whether he was not as likely to know it?

A. Yes.

Q. Whether you know, or have not heard, that it is very uſual with Women of great Condition to reſide in ſtrong Hill Forts in India?

A. In Times of D[illegible]ger, very uſual.

Q. Whether [illegible] often their Place of Reſidence in Times of no Danger at all?

A. It is in [illegible]l for them to reſide where their Families are; where their Huſbands Maſters are

Q. [illegible]

A. [illegible], certai[illegible]

Q. [illegible] heir Families are not there

A. No,

Q. Whether Widows [illegible]

A. Widows reſide with their Fa[illegible]

Q. Whether you do not recollect having taken th[illegible]

A. I do.

Q. Whether you did not reſign that Fort to the R[illegible]

A. I did.

Q. Whether, when [illegible] reſided in that Fort, [illegible]?

The Counſel for the [illegible]

Q. (*By a Lord.*) Do you [illegible]ided

A. As far as I underſtood, [illegible]ven [illegible]g of the [illegible]

Q. (*by Managers*) Whether you recollect to have heard of any Circumſtance be[illegible] upon the Apprehenſion of her being taken in the Fort?

A. I cannot charge my Memory at preſent with it.

Q. Have you ever converſed upon the Subject of Gohud with Mr. Anderſo[illegible]

A. Frequently.

Q. Have you not heard of ſome Circumſtance relative to the W[illegible] apprehended the Fortreſs of Gohud would be taken?

A. If the Honourable Manager will have the Goodneſs t[illegible] charge my Memory with it, I will then reply in the Negative [illegible]

Q. Whether you do not know, that that Lady had orde[illegible] ſuch Event, and her Body to be blown up with Gunpowder?

A. I really do not recollect ſuch a Circumſtance juſt now; I believe it may [illegible] know that it was not ſo.

Q. Whether, after that Letter of Mr. Haſtings, recommending humane Treat[illegible] to the Ranny Panna and the Perſons with her, you recollect that you received a Letter fro[illegible] Haſtings, dated Benares, 22d October, 10 o'Clock P. M. (*a*)

A. Yes; I do.

Q. Do you recollect, whether Mr. Haſtings did not charge you, in that Letter, 'to reject her 'Offers, or any Negociation with her, as a Means of obtaining Poſſeſſion of the Fort upon your 'own Terms; and that ſhe would contrive to defraud the Captors of a conſiderable Part of the 'Booty, by being ſuffered to retire without Examination?'—This is for your Recollection.—Do you recollect it?

A. Perfectly.

Q. Whether you recollect he there ſaid, 'he ſhould be ſorry your Officers and Soldiers ſhould 'loſe any Part of their Reward to which they were ſo well intitled?'

A. I do.

(*a*) See Page 282 printed Minutes.

Q. Whether

Q. Whether you recollect this Passage, 'What you have engaged for I will certainly ratify; 'but as to permitting the Rannee to hold the Pergunnah of Kurteek, or any other in the Zemin- 'dary, without being subject to the Authority of the Zemindar, or any Lands whatever, or indeed 'making any Conditions with her for a Provision, I never will consent to it;' and whether you received that Letter from Mr. Hastings, and to that Effect?

A. I did.

Q. Then, whether that Letter was any more a private Letter than the former Letter?

A. No more so.

Q. Whether, in the Letter of the 12th of November 1781, you did not express yourself sorry inform Mr. Hastings that the Licentiousness of your Fol[illegible] was beyond [illegible]unds of Con- [illegible] for, notwithstanding all you could do, her People w[illegible]ndered on [illegible] of most of [illegible]ings which they brought out of the Fort, by whic[illegible] of [illegible] Surrender [illegible]n much infringed [illegible]

[illegible] do.

Q. Whether in corre[illegible] upon th[illegible] demeanor, not to the F[illegible]

A. I have said so. [illegible]

Q. Whar[illegible]

I m[illegible] [illegible]ed at the [illegible]

[illegible]ordering you to [illegible]ce the Ranna [illegible] that Kind b[illegible] without [illegible]

[illegible] Pan[illegible] [illegible]1st of October, [illegible] Le[illegible] [illegible] O[illegible]

[illegible] [illegible]der [illegible] [illegible]n or 21st of October? [illegible] were [illegible] [illegible]rrend[illegible]

[illegible] or no, they did not relate to the [illegible]ervation of some Part of her Property, and [illegible] her Effects, without being subject to Examination?

[illegible] not a Part of this Capitulation, that she should be permitted to hold the [illegible] or some other, without being subject to the Authority of the Zemindars? [illegible]swer that was given.

[illegible] original Letter you wrote to Mr. Hastings, upon that [illegible]

[illegible]umber of my Papers.

[illegible] had been in Possession of before, or any [illegible]

[illegible] know[illegible]

Q. Was not the Offer made as [illegible], to [illegible] some Lands and Villages she had possessed before?

A. I do not know.

Q. You don't know how it is, one Way or other?

A. No.

Q. Whether you have not heard she had Two Houses, besides this Fort of Bidjegur?

A. I do not recollect.

Q. Whether you know that any of the Houses, or Lands, or Demesnes of any Kind, were ever assigned to her, or the Profits remitted to her?

A. Not to my Knowledge.

Q. Whether she did not desire she might reside at Benares, or in that Country?

A. I forget whether she did, or not.

Q. (*by a Lord.*) Whether ſhe was in Fact, put into actual Poſſeſſion of them?
A. I really don't know what was done with her after ſhe went from me, but from what I heard; and that is, that ſhe was ſent into the Maratta Country, ſomewhere to the Weſtward.

Q. Do you know whether it was at her own Deſire, or no?
A. I cannot poſitively ſay.

Q. Whether any of the Accountants, or Accounts of the Treaſure found in the Fort, were exiſting when you took Poſſeſſion of the Fort?
A. I did not enquire for any; therefore I really don't know that there were.

Q. Whether [illegible] Means were taken to aſcertain, what Part of the Property belonged to Cheit Sing, and [illegible]e Panna?
A. No[illegible]quiry, [illegible]vledge.

Q. W[illegible] taken the Re[illegible]f the [illegible] at the Fort, if he [illegible]der[illegible] his Prope[illegible]have taken it awa[illegible]

[illegible]n of [illegible]e admitted it, he would [illegible]

not ta[illegible]h, that he co[illegible]
A. [illegible]

Q. Whether you know, a[illegible]
after the Removal of Cheit Sing out of [illegible]
count of his Treaſure from any On[illegible]
A. By no P[illegible]y belonging to m[illegible]

Q. W[illegible]ratory tak[illegible]
the M[illegible]
A. I ben[illegible]tn[illegible]

Q. Whether [illegible]n a[illegible]
A. I observed, th[illegible]he[illegible]
of the Artillery, Milit[illegible]f[illegible]

Q. By Effects, is mea[illegible]Pla[illegible]
Effects, Clothes, and other [illegible]nd w[illegible]Co[illegible]va[illegible]
A. I believe there was.

Q. Whether you have it?
A. I have not.

Q. Nor any Copy of it?
A. Nor any Copy of it.

Q. Whether you know, that ſome of thoſe Effects were not [illegible]
A. I believe they were all ſold that would fetch Mon[illegible]

Q. What Inventory was made of the F[illegible]t[illegible]
plundered on their March [illegible]
A. I believe no Inventory was taken of[illegible]
cauſe, I have before ſtated, that they got it all b[illegible]

Q. For that Reaſon ſtate, whether any In[illegible]hey got b[illegible]
A. There was no Inventory taken, be[illegible]n[illegible]an who g[illegible]
could not have had it above a Quarter of an Ho[illegible]his Po[illegible]ion, before it was [illegible]
and given to the Family—to the Women.

Q. To whom was it given back?
A. To the Women.

Q. Was the Officer who took it, obliged to give an Account of what he had taken from the Perſons of theſe Women, and to make an Inventory of it, to compare it with what he returned?
A. There was no Inventory taken at all, of what was taken from the Women, as alluded to by the Queſtion in a former Part of this Evidence, and now.

Q. What Number of Women and Children were in that Fort?
A. I cannot tell.

Q. Did not the Women amount to 300, beſides Children?
A. I really cannot charge my Memory with it; it might have been 400, for aught I know, and perhaps not above 200.

Q. Whether they had any Male Attendants, Eunuchs, or Servants of a Civil Kind?
A. I believe they had what was usual for Women in that Situation.

Q. Of what Number did the effective Garrison in the Fort consist?
A. I cannot charge my Memory with it.

Q. Whether Mr. Hastings did not, according to your Construction, give you and the Officers all the Money and Effects that they should seize in Bidjeygur?
A. I understood it so.

Q. Whether Mr. Hastings did not endeavour to deny this Gift, and [illegible] this Donation?
A. Mr. Hastings wrote to me upon the Subje[illegible] I believ[illegible]tter is before the Court.

Q. Whether yo[illegible] d[illegible]t refuse to o[illegible]
A. They remo[illegible]on it.

Q. Did they n[illegible]ply
A. I cannot sa[illegible]

Q. Did the[illegible]
A. T[illegible]

Q. [illegible] against the Of-

[illegible] overnment of Bengal.

[illegible] the [illegible] ta[illegible]

[illegible] ev[illegible] der to make his Way, by [illegible] hen[illegible] there, and to carry Ammuni-tion[illegible]
A. [illegible]

Q. D[illegible] recollect, whether that Order was in Writing, or whether you sent it by a [illegible]

[illegible] rge my Memory with it at present.

[illegible] at Order was sent by the Direction of Mr. Hastings, with his Knowledge at the [illegible]?

[illegible] Hastings and I were in Communication together at the Time—I am [illegible]

[illegible] might be called in.

[illegible] M[illegible] lled in; and being sworn, was examined as [illegible]

Q. Whether you serve[illegible] office [illegible]ia, and when?
A. I did [illegible] in India.

Q. When did you go there?
A. In the Year 1780.

Q. When did you return from India first?
A. In the Year 1786.

Q. Was you here at the Commencement of this Trial, in the Year 1788?
A. I was.

Q. Did you return to India?
A. I did.

Q. When?
A. In the Year 1788.

Q. In what Month?
A. In the Month of April 1788.

Q. When

Q. When did you return to this Country the laſt Time?
A. A few Days ſince.

Q. Where had you been in the Interval—in what Situation?
A. I had been in various Parts of India.—I went to Bengal in the Year 1788; and in the Beginning of the Year 1789, I went to Madraſs, where I ſerved till January laſt, at which Time I ſailed for Europe.

Q. Do you remember going to Cheit Sing's Country, in the Year 1780, or in the Beginning of the Year 1781?
A. In the latter End of the Year 1780, or in the Beginning of the Year 1781, I paſſed through Cheit Sing's Country.

Q. What Par[illegible] Co[illegible]
A. Thoſe [illegible]

Q. D[illegible] the [illegible]d in Cheit Sing's Countr[illegible]
A.

Q. I[illegible]
A. In my [illegible] to ſend to the Village[illegible] Tra-vellers requi[illegible] my Servants had received Money, [illegible] that came within my Knowledge were, one [illegible] ceded me a few Days; their Treatment wa[illegible]

The Ma[illegible]e Commo[illegible]

The W[illegible]

The Nature of [illegible] that his Scull was frac[illegible] I did not ſee hi[illegible], for he w[illegible]

Q. At what Period was [illegible] your Servants?
A. Either in December 1780, o[illegible] in which of thoſe Months it was; but in one I re[illegible] was.

Q. Was any Provocation given by you, or your Servants, for the Treatment [illegible] Cheit Sing's Country?
A. Certainly none by me, and I believe, none by my Servants.

Q. Was you ſtationed at Cawnpore in the Month of Auguſt 1781?
A. I was.

Q. Do you remember the Circumſtance of the Rebell[illegible] Months of Auguſt and September?
A. I do.

Q. Was the Communication between Benares [illegible]
A. Cut off for ſome Time.

Q. Who commanded at Cawnpore?
A. Colonel James Morgan.

Q. Do you know of any Detachment going from C[illegible]pore, i[illegible]e Country of [illegible]
A. Europeans?

Q. Yes?
A. I do.

Q. Under whoſe Command?
A. A Detachment was ſent under the Command of Major Crabb, by Water, and ſhortly after the Remainder of the Brigade marched from Cawnpore, under the Command of Colonel James Morgan, to Illahabad.

Q. At what Period was that—what Month?
A. I think in the Month of September.—I believe ſo; or in Auguſt.—Either Auguſt or September, certainly.

Q. Do you know of any Aſſiſtance given to Cheit Sing, by the Begums, during his Rebellion?
A. I heard it univerſally ſpoken of. I heard it ſpoken of as a Thing univerſally underſtood. I did not doubt it.

Q. Have

Q. Have you yourſelf been at Fyzabad?
A. I have.

Q. What is the neareſt Route for Troops to march from Fyzabad to Lutteefpore, Cheyt Sing's Country?
A. I am not well acquainted with that Part of the Country; but I believe, the neareſt Road is by Jawnpore.

Q. Whether, in the Months of Auguſt and September 1781, there were any Civil or Military Officers belonging to the Britiſh Government, likely to have diſcovered theſe Troops in that Route, marching from Fyzabad to Lutteefpore?
A. If the Troops had choſen to conceal their Ma[illegible], th[illegible] have effected it, without Diſcovery.

Q. Do you know, [illegible] Serv[illegible] tter paid [illegible]an the Engliſh Sep[illegible] low[illegible]
A. Their Stipend[illegible] and [illegible]

Q. Is it uſual, u[illegible] ney in Advance?
A. It is c[illegible]

Q. W[illegible]
A. [illegible]

[illegible] caſions?

[illegible]?

[illegible] nduce you to [illegible]nd Aſſiſtance to [illegible]

[illegible] elief.

[illegible] o the Commencement of [illegible] in India, when you went [illegible]

[illegible] that he was then under Trial?

[illegible]ion was the Character of Mr. Haſtings, during the whole Period of your [illegible]

[illegible] Exceptions than falls to the Lot of moſt Perſons in a high official Ca[illegible] pplauded in his public Capacity; eſteemed and beloved [illegible]

[illegible] know of, againſt Mr. Haſtings, by any of [illegible]

[illegible]d, in India, that Petitions had been tranſ[illegible] Haſtings.

[illegible]nderſtan[illegible] lves?

[illegible] for the Co[illegible]d to the Queſtion.

[illegible]ow in what Eſtimation Mr. Haſtings was with Men in high Rank in India—the [illegible]?
A. I have already ſaid, that I have heard Mr. Haſtings univerſally well ſpoken of.

Q. Do you recollect any Perſons of high Rank?
A. Does the Queſtion mean Individuals? I have heard Individuals mention it.

Q. Whether what you have deſcribed of the Eſtimation of the Natives, reſpecting Mr. Haſtings, continued to be the ſame, after their Knowledge of the Proſecution of him, as before?
A. As far as I had the Means of knowing, they certainly did not alter their Opinion.

The Managers for the Commons acquainted the Houſe, That they had no Queſtions to aſk the Witneſs.

The Witneſs was directed to withdraw.

Then,

Then, the Counſel for the Defendant deſired Mr. Wright might be called in.

Mr. WRIGHT was accordingly again called in, and produced a Paper, and was aſked,

Q. Does that Account contain a comparative Account of the Military Charges, Expence of Buildings and Fortifications, and Remittances from Bengal to the other Settlements, in all the Years from 1776-7, compared with that Year, down to the Year 1784-5?

A. It does.

The ſame was [illegible]red in, and read as follows:

" Amount of [illegible] Buildi[illegible] a[illegible] Fortific[illegible] at Bengal, and the Nett R[illegible] ettle[illegible] the Sums paid by thoſe [illegible] 17[illegible] the Exceſs in each Ye[illegible] mo[illegible]

		Exceſs ſince 1776.
1776-7	—	
1777 8	—	
1778-9		
1779-[illegible]		
1780-[illegible]		
1781-[illegible]		
1782-3	—	[illegible]
1783-4	—	[illegible]
1784-5	—	[illegible]

To[illegible]
Add [illegible] pril [illegible]

C. R[illegible]

Average Annual Exceſs — — C[illegible]

" Eaſt India Houſe,
23d May 1792.

Errors excepted.
Wm Wrigh[illegible]

Q. Whether you have any Calculation [illegible] Civil Department and the Military, not empl[illegible] Branches of the Revenue, during that Period?

A. I have no ſuch Account.

Q. Whether you have been directed by th[illegible] ſuch an Acc[illegible] been called upon by him for ſuch Account?

A. No.

The Witneſs was directed to withdraw.

The Counſel for the Defendant ſtated, That they ſhould next produce another Document, to prove, that the Directors recognized the Powers delegated to Mr. Haſtings in the Year 1784.

Read, from Book 528, already delivered in, the following Extract of a General Letter, from the Court of Directors, to the Governor General and Council, dated 21ſt September 1785:

" Our Governor General in Council at Fort William, in Bengal.

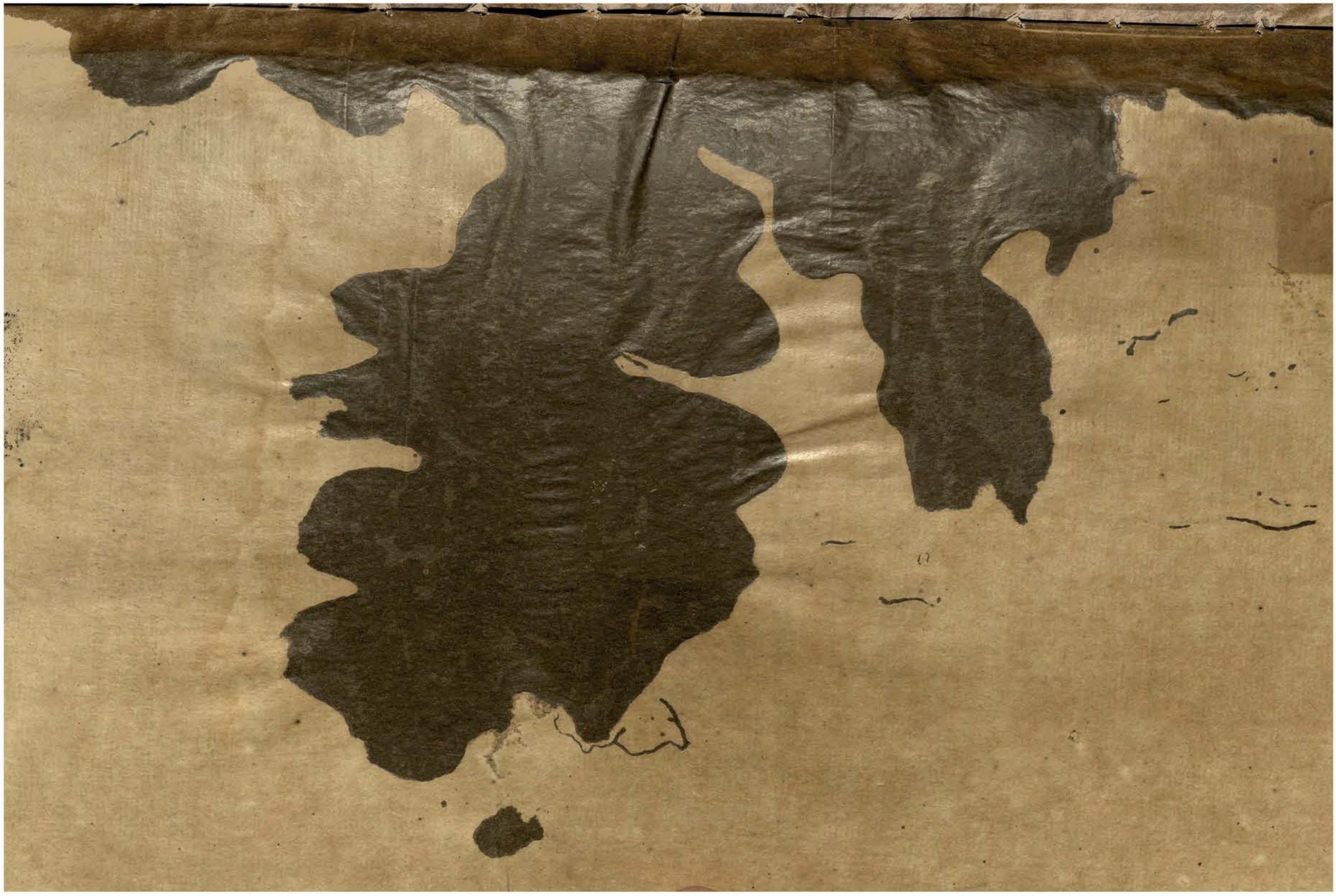
" Par. 6. In your Letter of the 17th January laſt, you have ſubmitted the following Queſtion to our Determination; viz. Whether the Company or the Vizier ſhall be charged with the Expence

nce of the Detachment commanded by Sir John Cumming? and we have taken an early Opportunity of communicating to you our Directions herein. As your late Governor General, in virtue of the Powers with which he was invested, had agreed with the Vizier to strike out the Charge of this Detachment, from his Account, from 1st January 1785, we hereby direct, that the said Agreement be punctually adhered to.

(Signed at the End)

" Tho' Parry, W. Devaynes,
Tho' Fitzhugh, Nath' Smith,
Cha' Mills, L. Sulivan,
George Cuming, J. Manship,
Paul Le Mesurier, [illegible]Townson,
[illegible]lis, [illegible]Roberts,
[illegible]ffatt[illegible]heap,

Then [illegible]



Die Sabbati, 9° Junij 170[illegible]

THE Lord[illegible] t[illegible] ions made, and [illegible] rm-ed the Counsel [illegible]

The [illegible], to shew that [illegible] oved [illegible] the same was [illegible] ommons [illegible] Osborne [illegible] oint of Fact, [illegible] ared by the Managers [illegible] Complaint of the Vizier to [illegible] edit of [illegible] borne, [illegible] d not [illegible] the Matter further.

[illegible] for the Commons [illegible], That as the Counsel for the Defendant [illegible] idence Acts of Violence committed by the Subjects of Cheit Sing [illegible] Troops, they had given the above Matter in Evidence to shew [illegible] People had been excited thereto by Acts of equal Violence on the [illegible] s, and not from rebellious Motives.

[illegible] roduced a Book, intitled, 'AYEEN AKBERY, [illegible] translated from the original Persian by [illegible] th[illegible] should [illegible] read certain Extracts [illegible] of Hindostan, the [illegible] Benares, always afforded Military Aid, [illegible] ry an[illegible] to whom it belonged.

[illegible] e following [illegible] Volume of the above-mentioned Book, [illegible] e 27 of [illegible] the same

"Tukseem Jumma of the Soobah Illahabass,
commonly called
Allahabad, Sircar Allahabad,
containing 11 Mahls;
Measurement, 5,73,611 Beegahs, 4 Bishwahs;
Revenue, 2,88,33,374 Dams;
Seyurghal, 7,40,071½ Dams."

Read, a further Extract from the same Book, and same Page, as follows:

'Kentet has a Stone Fort, 8,5[illegible],555 Dams.'

Read, a furth[illegible] ract from the same Book, and same Page, as follows:

[illegible] eeragurh, 4,00,000 Dams.'

Read,

Read, alſo, a further Extract from the ſame Book, beginning at Page 28 of the Appendix to the ſame.

" Sircar Ghazipoor,
containing 19 Mahls;
Meaſurement, 2,88,770 Beegahs, 7 Biſwahs;
Revenue, 1,34,31,300 Dams;
Seyurghal, 1,31,825 Dams.

			Dams.
Belya	-	K[illegible]	75,467
Peehowler		G[illegible]s a B[illegible]ort	9,42,191
Belyabaſs		G[illegible]	5,00,000
Behrya[illegible]		K[illegible]	2,93,515
Behla[illegible]		I[illegible]	1,26,636
Cho[illegible]		[illegible]	27,60,130
Deel[illegible]		[illegible]harbary	
Syedp[illegible]		[illegible]	22,60,707
Zeheerab[illegible]			
Havelly G[illegible]			
[illegible] of t[illegible]			
Afrad	-		
The City and Havelly P[illegible]			
Kuſſora	-	[illegible]car	
Cuthyr has a Brick Fort	-	[illegible]23	8,40[illegible]
Of Benaris	-	[illegible]7,34,721	

" Sircar Jownpoor,
containing 41 Mahls;
Meaſurement, 8,70,265 Beegahs, 4 Biſwahs.
Revenue, 5,63,94,127 Dams;
Seyurghal, 47,17,654 D[illegible]

	Dams.		
Aldeemow	39[illegible]9,9[illegible]		
Anglee	[illegible]		
Beektery	[illegible]		
Behdang	2,29,514		
Telkunnee	6,54,3[illegible]		
Jownpoor, with the Havelly, has a Stone Fort	42,4[illegible],043		
Chandypoor	14,67,221	Keryat Doſtpoor	
Chandeh	9,89,286	Keryat Mundeh	
Cheryakowt	8,70,848	Keryat Sownhah	
Jugeyſir	2,86,586	Kowleh	
Khereed has a Brick Fort	14,45,743	Kehweh	[illegible]
Kaſspoor Tandeh	9,86,[illegible]53	Ghewſy	[illegible]034
Khanpoor	3,06,020	Gudawareh	5,[illegible]947
Dewgong	25,83,205	Gowdyah	3,[illegible]
Gopaulpoor	1,80,[illegible]03	Mow	[illegible]067
Keraket	23,02,748	Nezamabad	[illegible]0,592
Mendyahoo has a Brick Fort	52,89,[illegible]65	Naikwan	7,58,796
Mehommedabad	32,29,[illegible]63	Nehtupoor	2,73,472
Mowngra	5,29,730	This Sircar furniſhes 915 [illegible] and 36,000 Infan[illegible]	
Mehjowra	4,20,16[illegible]		
Rary	13,26,[illegible]		

Read

Read, alſo, a further Extract from the ſame Appendix, beginning at Page 31 of the ſame.

" Sircar Chunadeh commonly called Chunar,
containing 13 Mahls;
Meaſurement, 1,06,270 Beegahs, 8 Biſwahs;
Revenue 58,10,654 Dams;
Seyu[illegible]ghal 1,09,065 Dams.

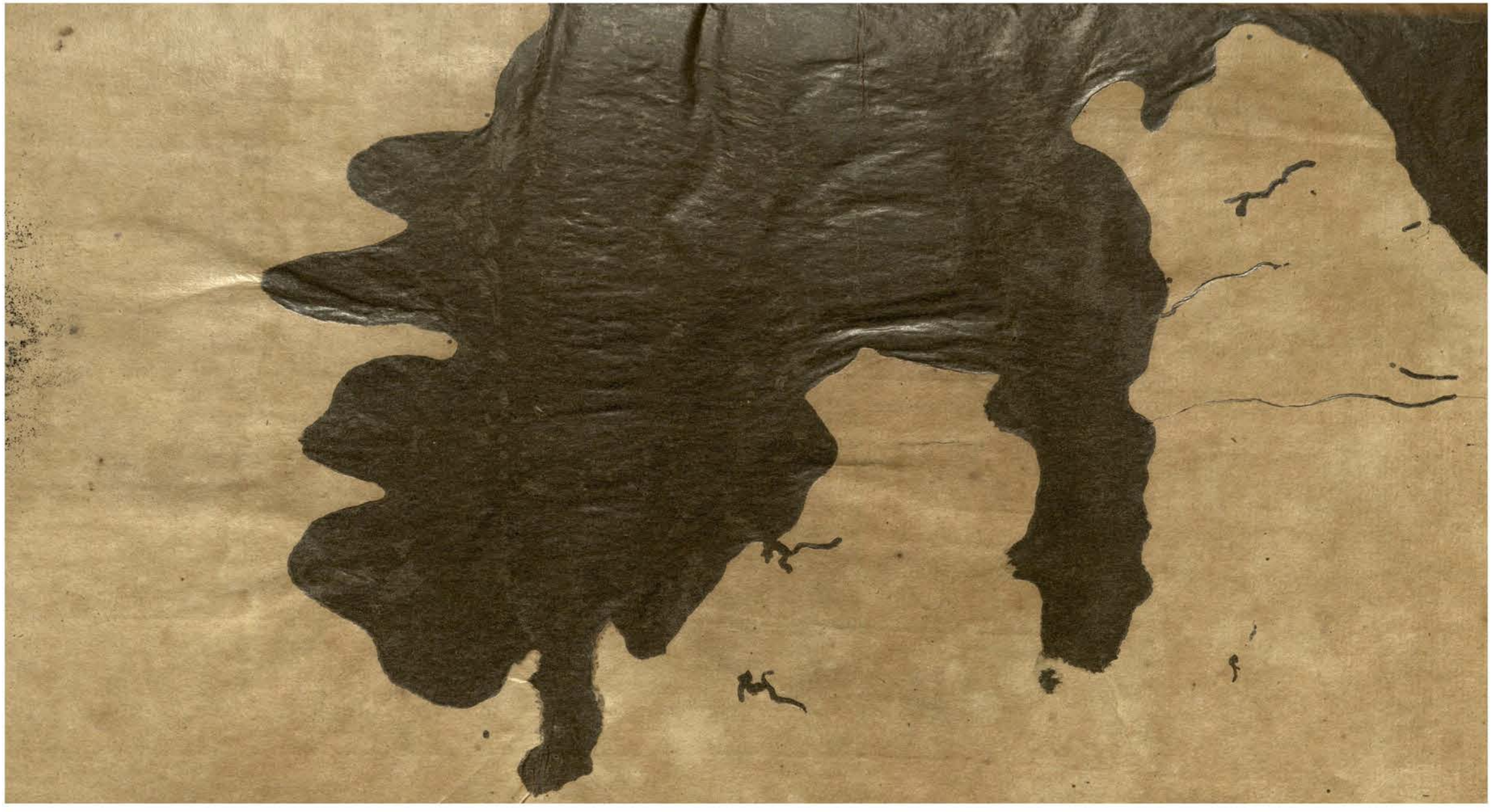
			Dams.
[illegible]heerwareh	1,[illegible]	Villages [illegible] the Riv[illegible]	8,45,371
[illegible]ooly	11,[illegible]	Mu[illegible]	5,49,817
[illegible]hool	3[illegible]	M[illegible]	3,90,609
[illegible]deh		[illegible]	[illegible],27,067
[illegible]unar with the Have[illegible] is a Stone Fort)			[illegible]283
[illegible]howſs			
Raghupoor			

Then M[illegible]

Die Lunæ, 11° Junij 1792.

THE Lords bei[illegible] eir[illegible] he [illegible] lamations made, and the[illegible] at [illegible] med the Counsel for the [illegible] p[illegible]

Then Mr. Dalla[illegible] y the Defendant [illegible]



Die Martis, [illegible]° Junij 1792.

HE Lords being [illegible]
made, and the D[illegible]
Counſel for the Def[illegible]

The Counſel for th[illegible]
ſome I[illegible]

[illegible] the
[illegible] ſaw
[illegible]ve

an Officer
cular Queſtion,
Idea—I do not

ou mean by 'ſeveral of them'?
er there were other Corps of Nudjeebs
od there were other Corps of Nudjeebs

The W[illegible]
here before
en of Cheit S[illegible] Fort[illegible] Articles
e Followers of th[illegible]P; by ſaying that it was by an Officer, and not
Camp, who was the Officer that committed that Outrage?
ntleman is ſince dead—I do not recollect his Name.

an European Officer, or a Black Officer?
s an European.

know that he is ſince dead?
A. I know it for a certainty;—I have heard ſo.

Q. Then, you recollect his Name?
. No; I [illegible]ot.

Did he ſha[illegible] Part of that Prize Money?
He certainly d[illegible]

e Witneſs [illegible] withdraw.

Then,

Then, Mr. Dallas was further heard to ſum up the Evidence produced by Defendant in Anſwer to the Firſt Article of Charge; and being fully heard th upon,

The Houſe adjourned to [illegible] Chamber of Parliament.

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Shri Brihad Bhartiya Samaj

on 31 October, 2019